

IN THE Circuit COURT OF THE THIRD JUDICIAL
CIRCUIT IN AND FOR HAMILTON COUNTY, FLORIDA

SEARCH WARRANT

**IN THE NAME OF THE STATE OF FLORIDA
TO ALL AND SINGULAR:**

TO: The Executive Director of the Florida Department of Law Enforcement or any of his duly constituted Special Agents, the Sheriff of Hamilton County, or any of his duly constituted deputies.

WHEREAS, complaint on oath and in writing supported by affidavit of credible witness, to-wit: SPECIAL AGENT ERIC DANIEL of the FLORIDA DEPARTMENT OF LAW ENFORCEMENT, has been made to me the undersigned Circuit/County Court Judge in and for Hamilton County Florida, and

WHEREAS said facts made known to me and considered by me have caused me to certify and find that there is probable cause to believe that certain laws have been violated in or about, or by means of certain computer equipment, or that evidence of, or evidence relevant to proving a violation of certain laws is contained within and together with said computer equipment and data described hereinafter, and is located on a certain Premises in Hamilton County, Florida, being known and described as follows:

7676 SW 46th Avenue, Jasper, Florida 32052

Directions: From the intersection of County Road CR-255 and U.S. Hwy 90 turn right or East onto U.S. Hwy 90 from CR-255 and travel approximately 5.6 miles turning left or North East on NE Myrrh Street. Travel approximately 2.7 miles turning right on a dirt road marked SW 74th Street. Travel approximately .6 miles to where road stops at SW 44th Lane. Turn right onto SW 44th Lane for approximately 20 yards and follow the road to the left where it turns into SW 74th Way. Travel approximately .4 miles on SW 74th Way turning right onto SW 46th Avenue. Travel approximately .3 miles to a dirt drive on the left and a black mailbox containing the address "7676 SW 46th Avenue" in white and black lettering on the side. The structure is described as a single family, single story dwelling of wood construction, beige in color, with a black roof and lifted above the ground by wooden pylons. The mail box is located by the road to the left of the drive way and displays the address "7676 SW 46th Avenue" on the side.

WHEREAS, the Court having found probable cause that certain property is being kept within the Premises and the following laws have been or are being violated within said Premises:

Interception and disclosure of wire, oral, or electronic communications F.S. 934.03(1)(a)(c), and where the Premises is being occupied by **Katherine Scott**, and others known and unknown, and **Katherine Scott** is the registered account holder of the high speed internet service provided at the Premises through Windstream Communications .

NOW THEREFORE, you are hereby ordered and authorized to seize the following items, and to conduct an off-site search and analysis, or to delegate the search and analysis to an off-site computer forensic analyst, the following items:

- 1. Computer hardware to include any and all computer equipment used to collect, analyze, create, display, convert, store, conceal, or transmit electronic, magnetic, optical, or similar computer impulses or data. Hardware includes (but is not limited to) any data-processing devices (such as central processing units, personal computers to include "laptop" or "notebook" or "pocket" computers); internal and peripheral storage devices (such as fixed disks, external hard disks, floppy disk drives and diskettes, tape drives and tapes, optical storage devices, and other electronic media devices).**
- 2. Computer input and output devices to include but not limited to keyboards, mice, scanners, printers, monitors, network communication devices, modems and external or connected devices used for accessing computer storage media.**
- 3. Computer storage media and the digital content to include but not limited to floppy disks, hard drives, tapes, DVD disks, CD-ROM disks or other magnetic, optical or mechanical storage which can be accessed by computers to store or retrieve data or email files.**
- 4. Computer software and application software installation and operation media.**
- 5. Computer software, hardware or digital contents related to the sharing of Internet access over wired or wireless networks allowing multiple persons to appear on the Internet from the same IP address.**
- 6. Manuals and other documents (whether digital or written) which describe operation of items or software seized.**
- 7. Items containing or displaying passwords, access codes, usernames or other identifiers necessary to examine or operate items, software or information seized.**
- 8. Correspondence or other documents (whether digital or written) pertaining to the possession, receipt or origin of emails from Ryan Tyson.**
- 9. Video files:**
<http://www.youtube.com/user/VFiveVs?feature=mhum#p/a/u/1/km09AVwSAs>
<http://www.youtube.com/user/VFiveVs?feature=mhum#p/a/u/0/Vhyw2HwD4sQ>
- 10. The Cell phone utilized in the video recording posted on You Tube as depicted in:**
<http://www.youtube.com/user/VFiveVs?feature=mhum#p/a/u/1/km09AVwSAs>

<http://www.youtube.com/user/VFiveVs?feature=mhum#p/a/u/0/Vhyw2HwD4sQ>

11. Items that would tend to establish ownership or use of computers and ownership or use of any Internet service accounts accessed to obtain unauthorized access to email correspondence or networks to include credit card bills, telephone bills, correspondence and other identification documents.

12. Items that would tend to show dominion and control of the property searched, to include utility bills, telephone bills, correspondence, rental agreements and other identification documents.

13. Data maintained on the computer, or computer related storage devices such as floppy diskettes, tape backups, computer printouts, and "zip" drive diskettes, in particular, data in the form of images, videos, email logs and any accompanying text associated with those images, and/or log files recording the transmission, of data as they relate to violations of Florida law cited herein related to offenses against computer users.

In addition to the seizure of the above-mentioned Property, the Court gives permission to seize the computer hardware (and associated peripherals) and software and to conduct an off-site analysis of the hardware and software for the evidence described, or to delegate the analysis to a qualified Forensic Analyst, if, upon arriving at the scene, the law enforcement officers executing the search conclude that it would be impractical to search the computer hardware on-site for this evidence.

NOW THEREFORE, with such lawful assistance as may be necessary, to include forensic computer analyst experts, and the attendance on scene of law enforcement members from the Florida Department of Law Enforcement, and the Hamilton County Sheriff's Office, you are hereby commanded, in the daytime or in the night time, or on Sunday, as the exigencies of the occasion may demand, to enter and search the aforesaid Premises and curtilage thereof, and any vehicles thereon, or any persons located on the Premises or within the curtilage reasonably believed to be connected with said illegal activity, for the Property described in this warrant and if the same or any part thereof be found, you are hereby authorized to seize and secure same, giving proper receipt thereof and delivering a completed copy of this warrant to the person in control of the Premises, or in the absence of any such person, leaving a completed copy where the items are found, and making a return of your doings under this warrant within ten (10) days of the date hereof, and you or your designated forensic analyst are further authorized to search the property for evidence of the crimes described herein, and you are directed to confirm the security of said property so it may be brought before a Court having jurisdiction of this offense to be used in the prosecution of persons violating

this offense and thereafter to be disposed of according to law.

WITNESS my hand and seal this 2 day of January, 2011.



CIRCUIT/COUNTY JUDGE
HAMILTON COUNTY, FLORIDA

2:45 P.M
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INVENTORY/RETURN



Florida Department of
Law Enforcement

IN THE COUNTY/CIRCUIT COURT OF THE

3rd JUDICIAL CIRCUIT, Hamilton COUNTY, FLORIDA

Case Number: <u>P-11-00226</u>		Search Warrant Affiant: <u>Eric Daniel</u>
Date of Issuance of Search Warrant: <u>1/12/11</u>		Date Executed: <u>1/14/11</u>
Location of Search Warrant: <u>7676 SW 46th AVENUE</u>		
Copy of Search Warrant and Inventory left with: <u>Robert Burton</u>		
Exhibit #	Description	Location
1	Sony Handycam Model # DCR-SR47	Kitchen Enc
2	LG cell phone	Master Enc
3	Toshiba Satellite Laptop Serial # 77110910	Living Room
	w/ power cord	

I, Eric Daniel the Special Agent by whom the Search Warrant was executed, swears that the above Inventory contains a true and detailed account of all the property taken by me pursuant to said Search Warrant.

Special Agent

SWORN TO AND SUBSCRIBED before me at Hamilton
 County, Florida, this 16 of Jan, 2011

SWORN LAW ENFORCEMENT OFFICER