

Cell phone search warrant – generic – good example

DISTRICT COURT, PUEBLO COUNTY, COLORADO  
Pueblo County Judicial Building  
320 W. Tenth Street  
Pueblo, CO 81003  
(719) 583-7125

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THE PEOPLE OF THE STATE OF COLORADO  
v.  
defendant

COURT USE ONLY

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Case Number

Division  
APPLICATION AND AFFIDAVIT FOR SEARCH WARRANT

The undersigned, being first duty sworn, upon oath, deposes and says:

That this affidavit is made in support of an application for a search warrant to search the following premises, person(s), motor vehicle(s) or thing(s), to-wit:

1. Cricket Communications  
10307 Pacific Center Court  
San Diego, CA 92121  
Attn: Subpoena Compliance Manager.

2. That the person(s), property, motor vehicle(s) or thing(s) to be searched for, and seized if found :

( ) Is stolen or embezzled:

AND/OR

(X ) Is designated or intended for use as a means of committing a criminal offense or is or has been so used;

AND/OR

( ) Is illegal to possess;

AND/OR

(X ) Would be material evidence in a subsequent criminal prosecution.

3. The person(s), property, motor vehicle(s), or thing(s) to be searched for is or are:

A) Subscriber information

B) Account comments

D) Billing records

E) Outbound and inbound call detail for anytime between the dates of MAY 23, 2006 and July 22, 2006

F) Call origination / termination location for anytime between the dates of MAY 23, 2006 and July 22, 2006

G) Subscriber information on any cellular numbers that (719) 778-9157 dials for anytime between the dates of MAY 23, 2006 and July 22, 2006

H) All of the above records whether possessed by cellular service provider [Cricket Communications] or any other cellular service provider

I) All stored communications or files, including voice mail, email, digital images, buddy lists, text message storage and any other files associated with user accounts identified as: mobile number(s) (719) 778-9157.

J) All connection logs and records of user activity for each such account including:

1. Connection dates and times.
2. Disconnect dates and times.
3. Method of connection (e.g., telnet, ftp, http)
4. Data transfer volume.
5. User name associated with the connections.
6. Telephone caller identification records.
7. Any other connection information, such as the Internet Protocol address of the source of the connection.
8. Connection information for the other computer to which the user of the above-referenced accounts connected, by any means, during the connection period, including the destination IP address, connection time and date, disconnect time and date, method of connection to the destination computer, and all other information related to the connection from cellular service provider for anytime between the dates of MAY 23, 2006 and July 22, 2006

K) Any other records or accounts, including archived records related or associated to the above-referenced names, user names, or accounts and any data field name definitions that describe these records.

And that such grounds and probable cause support the issuance of this order pursuant to §16-3-301.1, C.R.S.

Pursuant to §16-3-301.1, C.R.S., the above-named business entity shall produce the above described records within 30 days after the date this court order is served. The records shall be delivered to the Colorado criminal investigator or peace officer named in this order during normal business hours. The records shall be supplied in any form or format that is convenient for the business entity and that may be accessed by the named officer or the officer's agency or department. The business entity shall also provide a notarized statement that

the records produced represent complete and accurate copies of all records identified in this order that are in the actual or constructive control of the business entity.

If the business entity does not produce all records identified in this order, it shall identify the records not produced. Failure to comply with this order shall support a finding of contempt of court.

Pursuant to §16-3-301.1, C.R.S., the peace officer named below is hereby authorized to serve this order during normal business hours of the above-named business entity, and to receive the records during normal business hours of the business entity. Service shall issue in the same manner as a summons under C.R.C.P. 4, or by personal service on a manager or supervisor of the business entity. This order must be served within 10 days after the date it is issued. Upon receiving the records from the business entity, the criminal investigator or officer shall file a return and inventory with the court indicating the records that have been received, the total number of pages if supplied on paper, and the date upon which the records were received. The investigator or officer shall also file the original of the attestation of authenticity and completeness with the court.

All records shall be produced to:

Name of Officer  
Pueblo County Sheriff's Office  
909 Court St.  
Pueblo, CO 81003  
(719) 583-6125  
(719) 583-6533 (Fax)

#### ORDER FOR NON-DISCLOSURE OF SEARCH WARRANT

It is further ordered that cellular service provider not to notify any person (including the subscriber or customer to which the materials relate) of the existence of this order for 90 days in that such a disclosure could give the subscriber an opportunity to destroy evidence, notify confederates, or flee or continue his flight from prosecution

NOW, THEREFORE, the undersigned Applicant moves this Court for the issuance of a Search Warrant for the address of location named or described above for the search and seizure of the above-described person(s), property, motor vehicle(s) or thing(s).

The foregoing application and affidavit was subscribed and sworn to or affirmed before me this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2006,  
by Officer's name...

BY THE COURT:

JUDGE \_\_\_\_\_

ATTACHMENT "A"

(The following is submitted in support of the attached "Application and Affidavit for Search Warrant.")

The facts establishing grounds for the issuance of a search warrant, and showing probable cause believe they exist are as follows: