

STATE OF COLORADO)
) ss. AFFIDAVIT FOR SEARCH AND
COUNTY OF ARAPAHOE) SEIZURE WARRANT

I, [REDACTED], the Affiant herein, being of lawful age and having been first duly sworn upon oath, depose and state that I am a police officer with the [REDACTED] currently assigned to the South Metro Drug Task Force, and that I have probable cause to believe that the vehicle listed below has been used and will continue to be used to transport cocaine and facilitate the illegal sales of cocaine:

AN ELECTRONIC GPS TRACKING DEVICE TO BE PLACED ON:

A 1998 Honda Civic 4D, green in color, bearing Colorado LIC# [REDACTED]

REASONS:

Your Affiant created a self-initiated investigation/case report, which is filed under South Metro Drug Task Force's case report number [REDACTED]. The information gathered and included in the report was obtained by your Affiant personally and by other agents of the South Metro Drug Task Force. The aforementioned case report created by your Affiant contains the following information:

Between the dates of September 27th, 2011 and October 7th, 2011, your Affiant, utilizing Confidential Informant (CI) [REDACTED], executed two controlled purchases of a total of approximately four ounces of cocaine. The controlled purchases of cocaine took place at a residence located at [REDACTED] in the City and County of Denver. Your Affiant knows CI [REDACTED] to be reliable and truthful in the information that he/she provides and your Affiant has utilized CI [REDACTED] on approximately five previous controlled purchases.

During the first controlled purchase of cocaine on September 27th, 2011, CI [REDACTED] entered the aforementioned residence and gave U.S. currency, provided by SMDTF, to a white male, who was later identified by CI [REDACTED] as [REDACTED] DOB: [REDACTED]. Prior to the deal taking place, your Affiant, who was able to observe the front of the residence from a position west of the residence, observed a green Honda Civic parked in front of the house along the curb.

After CI [REDACTED] provided [REDACTED] the money, [REDACTED] exited the residence and entered the passenger side of the green Honda that was parked out front. It was determined that the Honda was previously occupied by an unknown person. [REDACTED] was in the Honda for approximately two minutes before exiting the Honda and re-entering the residence, where [REDACTED] provided CI [REDACTED] with approximately two ounces of cocaine. The cocaine later tested presumptive positive as cocaine, via a narcotics identification kit (NIK) field test.

Shortly after CI [REDACTED] received the cocaine from [REDACTED], the Honda and its driver drove from the street and out of the neighborhood. Agent [REDACTED] was able to briefly pull

in behind the Honda and observed that the Honda had Colorado license plate number [REDACTED] attached to the rear. A Department of Motor Vehicle check on the plate revealed that the plate was registered to a 1998 Honda Civic, green in color, with the registered owner being [REDACTED].

Your Affiant spoke with CI [REDACTED] after the first controlled purchase of the cocaine and CI [REDACTED] informed your Affiant that [REDACTED] did in fact go to the Honda to retrieve the cocaine that he/she purchased. According to CI [REDACTED] he/she does not know who the person was in the Honda.

Due to the success of purchasing cocaine at the residence of [REDACTED] during the first controlled purchase, your Affiant had CI [REDACTED] arrange another purchase of approximately two ounces of cocaine to take place at or near the residence on [REDACTED].

On October 7th, 2011, CI [REDACTED], at the direction of your Affiant, went to [REDACTED] in the City and County of Denver to purchase an additional two ounces of cocaine. Once at the residence, CI [REDACTED] was told by [REDACTED] that he was awaiting the arrival of "his guy" so he could sell the cocaine to him. Your Affiant was, once again, in view of the residence and front of the residence from a position west of the house. After CI [REDACTED] was in the residence for approximately two to three minutes, your Affiant observed the same green Honda from the previous deal pull up to the residence. Your Affiant verified that the plate on the Honda (CO # [REDACTED]) from the first deal was the same plate that was on the Honda that pulled up to the residence for this controlled purchase.

After the Honda and its driver parked in front of the residence facing west, your Affiant observed the person your Affiant knows to be [REDACTED] walk from the residence and enter the passenger's side of the Honda. As what occurred in the previous controlled purchase, [REDACTED] then exited the Honda and walked back into the residence, where he sold CI [REDACTED] two ounces of cocaine. This cocaine also NIK tested positive for the presence of cocaine.

After [REDACTED] exited the Honda, the Honda and its driver were followed from the area by SMDTF agents. SMDTF agents were able to follow the Honda and its driver to the Aurora area, where the follow became stagnant, due to insufficient man-power and resources to continuously follow the Honda and its driver. Prior to the follow being terminated, Agent [REDACTED] observed that the driver of the Honda was a white male. Your Affiant spoke with CI [REDACTED] after the second controlled purchase and CI [REDACTED] stated that [REDACTED], as he did during the first deal, went to the Honda and got the cocaine. CI [REDACTED] added that when the Honda and its driver pulled up to the residence, [REDACTED] said to CI [REDACTED] "Can I get that money?", indicating to CI [REDACTED] that he needed the money for the cocaine. It was after [REDACTED] asked CI [REDACTED] for the money that [REDACTED] took, the money to the Honda, met with the male driver, and returned with the cocaine to CI [REDACTED].

During both controlled purchases CI [REDACTED] was fitted with an electronic listening/recording device that was monitored during the deals. Your Affiant, via a scanner that was monitoring the electronic listening/recording device being worn by CI [REDACTED], also heard the conversations between CI [REDACTED] and [REDACTED]. The statements made to your Affiant by CI [REDACTED] corroborate what your Affiant heard while monitoring the scanner during the deals.

Based on the information gathered from CI [REDACTED] and from the controlled purchases, your Affiant believes that the Honda driven by the unknown male is used to transport the unknown male to and from unknown locations where the male is distributing cocaine or purchasing cocaine. Your Affiant is not aware of any other type of transportation that the unknown male may utilize to conduct his illegal activities involving narcotics, other than the Honda.

In an effort to gather additional intelligence on the unknown male that drives the Honda, relating to drug activity, your Affiant knows that constant monitoring and surveillance of the male and his travels is necessary. Your Affiant is aware that any attempts to conduct ground surveillance on the Honda and its driver on a twenty four hour basis would be difficult to do, due to the fact that during the second controlled purchase, SMDTF agents were unable to follow the male for a long period of time. Your Affiant knows that to successfully follow a possible narcotics dealer to gather pertinent information for a complete and thorough investigation and for further intelligence, more time and resources are needed.

Your Affiant hereby requests that this court authorize this Affiant to surreptitiously install a mobile satellite tracking device in or on the Honda Civic in question. This electronic transmitter will emit an electronic tracking signal, thus notifying law enforcement officers of the location of the Honda. This electronic transmitter can also advantageously be monitored twenty four hours a day using limited man power.

This mobile satellite tracking device will in no way monitor or record conversations, sound, or video images and is intended solely for the purpose of identifying locations where the Honda and its driver may be distributing or purchasing cocaine, as stated earlier in this affidavit.

At the completion of this investigation, your Affiant requests that law enforcement officers be allowed to retrieve the mobile satellite tracking device that is to be installed. Your affiant also requests to place the GPS satellite mobile tracking device on the Honda for no more than thirty (30) days from the date this affidavit is signed and approved.

Your Affiant requests that, if necessary, more than (10) days to locate and install the GPS mobile satellite tracking device. At this time your Affiant does not know the exact whereabouts of the Honda and may need additional time to locate the Honda and install the GPS mobile satellite tracking device.

Once the Honda is located, your Affiant will verify both the license plate and VIN on the vehicle, prior to installing the GPD mobile satellite tracking device.

BASED ON the foregoing information, this Affiant requests that the Honorable Court find that there is probable cause for the issuance of a warrant for the search and seizure of any such above-described property at the place described above, and if so determined, issue such warrant.

I HAVE READ the foregoing statement and the matters stated therein are true to the best of my knowledge and belief.

[REDACTED], Affiant

SUBSCRIBED and SWORN TO before me this _____ day of _____, 2011.

[SEAL]

Judge, 18th Judicial District

STATE OF COLORADO)
)
COUNTY OF ARAPAHOE)

IN THE DISTRICT COURT
EIGHTEENTH JUDICIAL DISTRICT

ss.

SEARCH WARRANT

THE PEOPLE OF THE STATE OF COLORADO:

TO: Any officer authorized by law to execute a search warrant in the County wherein the property is located.

Agent [REDACTED], having this date filed an Affidavit for a Search Warrant in conformity with the provisions of Colorado Rules of Criminal Procedure, 41(b) and (c), for the following described property, to-wit:

AN ELECTRONIC GPS SATELLITE TRACKING DEVICE TO BE MONITORED FOR A PERIOD OF THIRTY (30) DAYS

To be placed on:

A 1998 Honda Civic 4D, green in color, bearing Colorado LIC# [REDACTED]

upon one or more grounds as set forth in Rule 41(b), Colorado Rules of Criminal Procedure, namely:

* [REDACTED] would be material evidence in a subsequent criminal prosecution.

The names of persons whose affidavits have been taken in support hereof are: Agent [REDACTED]

and as I am satisfied that grounds for the application exist, or that there is probable cause to believe that they exist, and that the property is located on the person, premises, or in the vehicle above described, YOU ARE THEREFORE COMMANDED to search forthwith the person, place, or vehicle above described for the property described and to seize the property described above at any time, day or night, and to make return of this Warrant to

*

within 10 days of the date hereof, or as soon as it is possible to locate the vehicle.

*

a written inventory of the property with the return of this Warrant.

Dated this _____ day of _____, 2011, at _____ County, Colorado.

JUDGE, 18th Judicial District