

1 THE STATE OF TEXAS § DOCKET #  
2 §  
3 COUNTY OF WILSON § COURT:  
4

5 **SEARCH WARRANT**

6 {Article 18.21(4),(5A),(5B, and (8), Texas Code of Criminal Procedure}  
7

8 **THIS SEARCH WARRANT IS ISSUED PURSUANT TO TEXAS CODE OF CRIMINAL**  
9 **PROCEDURE ARTICLE 18.21. A RESPONSE IS DUE WITHIN 30 BUSINESS DAYS**  
10 **OF RECEIPT OF THIS WARRANT UNLESS A LONGER TIME PERIOD IS STATED**  
11 **HEREIN.**  
12

13 **IT IS FURTHER ORDERED, that pursuant to Texas Code of Criminal Procedure**  
14 **Article 18.21, Section 8, that you do not disclose the existence of this search**  
15 **warrant, incorporated affidavit for search warrant, or law enforcement investigation**  
16 **to the listed subscriber, as such disclosure would have an adverse result on the**  
17 **State's investigation, impede an active investigation, or obstruct justice.**  
18

19 The State of Texas: To the Sheriff or any Peace Officer of **WILSON County**, Texas, or  
20 any Peace Officer of the State of Texas, or any Agent of the United States of America:  
21

22 WHEREAS, the Affiant whose signature is affixed to the Affidavit attached herein is a  
23 Peace Officer under the laws of Texas and did heretofore this day subscribe and swear to  
24 said Affidavit before me (which said affidavit is by this reference incorporated herein for all  
25 purposes), and whereas I find that the verified facts stated by Affiant in said Affidavit show  
26 that Affiant has probable cause for the belief he expresses therein and established the  
27 existence of proper grounds for the issuance of this Warrant:  
28

29 Now, therefore, you are commanded to enter the suspected place, and premises  
30 described in said affidavit, to-wit:  
31

32 **DESCRIPTION OF PREMISES TO BE SEARCHED:**  
33

34 **The address to be searched is a cloud service hosted by Apple, located at;**  
35

36 **1 Infinite Loop M/S 36-SU**  
37 **Cupertino, CA 95014**  
38 **USA**  
39

40 **iCloud accounts identified by the below listed identities, information, and/or**  
41 **devices:**  
42

43 **DESCRIPTION OF PROPERTY TO BE SEARCHED:**  
44

45 **iCloud accounts identified by the below listed identities, information, and/or**  
46 **devices:**  
47  
48

1 **Individuals:**

2  
3 1. Devin Patrick Kelley DOB: 02/12/1991

4  
5 **Email Addresses:**

6 [REDACTED]  
7  
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10  
11 **Mailing Addresses:**

12 [REDACTED]

13 2.

14  
15 **Phone Numbers:**

16 [REDACTED]

17 2.

18  
19 **IMEI/ESN Numbers:**

20 358541073944937

21  
22 **STATUTE(S) BEING VIOLATED:**

23  
24  
25 Texas Penal Code 19.03 Capital Murder

26  
27  
28 **PROPERTY SOUGHT:**

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30  
31 Your Affiant seeks to seize the below-described evidence pursuant to Texas Code  
32 of Criminal Procedure Article § 18.21, as well as the United States Code 18 U.S.C.  
33 2703, and California Statute § 1524.2, which compel out-of-state electronic  
34 communication service or remote computing service that provides such services to  
35 the public to provide information requested pursuant to search warrants, court  
36 orders or subpoenas issued in the State of Texas. However, because the out-of-  
37 state electronic communication service or remote computing service provider has  
38 no reasonable means to distinguish evidence of the crimes from any other records  
39 contained within the sought-after account, your Affiant seeks to compel the service  
40 provider to seize a copy of all records pertaining to the account and provide the  
41 entirety of the records to your Affiant. Once your Affiant has obtained those  
42 records, your Affiant and/or other representatives of the Texas Department of  
43 Public Safety shall conduct an actual search of the items obtained from the out-of-  
44 state electronic communication service or remote computing service provider in  
45 order to sort the evidence of the crimes articulated below and specifically sought  
46 herein, which may be intermingled with innocent or innocuous documents or  
47 records.  
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**PROPERTY TO BE PROVIDED BY APPLE**

The below requested information is to be supplied from Apple as identified by any combination of the above information under the description section for the dates of January 1<sup>st</sup> 2016 through November 9<sup>th</sup> 2017.

1. All account information, including but not limited to name, date of birth, social security number, full on file credit card number, email addresses, phone numbers, physical addresses, IP logs, list of associated Apple devices, etc.
2. Photo Stream records to include but not limited to album names and photographs associated with those albums, users account information that own the Photo Stream and those that are users of the Photo Stream, and any and all metadata and EXIF data associated with these albums and photographs/videos.
3. Documents in the Cloud to include but not limited to documents that the users have stored on the cloud, what devices have accessed these documents, what revisions have been created, and any and all metadata associated with these files.
4. Bookmarks to include but not limited to full URL of all bookmarks, date the bookmark was created, and how many times that bookmark has been accessed.
5. Reading Lists to include but not limited to full URL of the article, a copy of the stored electronic version of the article, the date that the article was saved, and how many times the article has been accessed.
6. iCloud Tabs to include but not limited to full URL of the tab and the date that the tab was opened.
7. Backups to include but not limited to full, unencrypted, non-password restricted backups of any and all Apple devices stored on the Cloud. These should include but not be limited to all files associated with an Apple device backup and all data, such as text messages, GPS location logs, Internet browser history, Internet search history, photographs, videos, email account information and emails, iMessages, instant messages, notes, contacts, voice memos, passbook information, calendar information, reminders, social networking information, financial Apps and information, metadata and EXIF data associated with these records and files, and any other data not already mentioned here.

- 1 8. Email stored on the Cloud to include but not limited to email address, any  
2 and all incoming and outgoing emails, dates and times of emails, saved  
3 emails, email drafts, and deleted emails.  
4
- 5 9. Contacts to include but not limited to name, company, phone numbers,  
6 email addresses, associated URLs, physical addresses, prefix, phonetic  
7 first name, phonetic last name, middle, suffix, nickname, job title,  
8 department, twitter URL, profile URL, birthday, date, instant message,  
9 related people, and notes.  
10
- 11 10. Calendar to include but not limited to events, date of events, times of  
12 events, event titles, event locations, repeat frequency, invitees, alerts,  
13 which calendar it belongs to, availability status, event URL, and event  
14 notes.  
15
- 16 11. Notes to include but not limited to full text of note, date note was created,  
17 and the user that created the note.  
18
- 19 12. Reminders to include but not limited to reminder title, date and time of  
20 reminder, repeat frequency of reminder, reminder location notification,  
21 and arrival/leave status, reminder priority, and reminder notes.  
22
- 23 13. All activity, connection, and transactional logs for the account (with  
24 associated IP addresses including source port numbers), including  
25 FaceTime invitation logs, mail logs, iCloud logs, iTunes store logs, and  
26 App store logs (including purchases, downloads, and updates of Apple  
27 and third party apps), messaging and query logs (including iMessage,  
28 SMS, and MMS messages), my Apple ID and iForgot logs, sign on logs for  
29 all apple services, Game Center logs, Find my Iphone logs, logs  
30 associated with iOS device activation and upgrades, and logs associated  
31 with web-based access of Apple services (including all associated  
32 identifiers).  
33
- 34 14. All files, keys, or other information necessary to decrypt any data  
35 produced in an encrypted form, when available to Apple (including, but  
36 not limited to the keybag.txt and fileinfolist.txt files).  
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#### 38 SEARCH CONDUCTED BY LAW ENFORCEMENT

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40 These records will be analyzed for evidence relating to the crimes for which this  
41 case is being investigated. Such evidence can be in the form of communications  
42 via email, text message, messaging apps, social media apps, voice messages, or  
43 any other forms of communication that are stored on the iOS device. Evidence may  
44 also be in the form of photographs, videos, metadata, EXIF data, Internet browser  
45 history and favorites, apps that contain specific data related to criminal activity that  
46 is not already noted in this application, and any other electronically stored  
47 information, files, or communications that are evidentiary in value and not already  
48 mentioned.

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**GROUND FOR ISSUANCE:**

Evidence relevant to proving a felony has been committed (TX CCP 19.03) is contained therein, which is an out-of-state corporation that provides electronic communication services or remote computing services to the public. Pursuant to Texas CCP Article § 18.21, as well as the United States Code 18 U.S.C. 2703, and California Statute § 1524.2, a Judge of the state of Texas, with competent jurisdiction, has jurisdiction to issue a search warrant for The Premises, an out-of-state corporation that provides electronic communication services or remote computing services to the public, and that such warrant shall be executed by civilian personnel employed at The Premises and at the out-of-state corporation that provides electronic communication services or remote computing services to the public, and any records found by civilian personnel pursuant to this warrant shall be returnable to Your Affiant.

IT IS FURTHER ORDERED, that said electronic service provider shall disclose responsive data, if any, by sending it to:

Texas Ranger Kevin Wright  
311 Sidney Baker S  
Kerrville TX 78028  
kevin.wright@dps.texas.gov

using acceptable electronic means or the US Postal Service or another courier service, notwithstanding 18 U.S.C 2252A or any similar statute or code.

NOW THEREFORE, the facts upon which the belief of said Affiant is based as set out in said affidavit are hereby deemed sufficient to show probable cause for the issuance of a Search Warrant in accordance with the application of said Affiant.

I HEREBY COMMAND YOU, the Affiant, Texas Ranger Kevin Wright of the Texas Department of Public Safety, with necessary assistance, to search the premises previously described. You may search for the property described previously by serving this search warrant via facsimile or U.S. Mail upon the proper legal representative of Apple in conformance with Texas Code of Criminal Procedure Article 18.21.

IT IS FURTHER ORDERED, that pursuant to Texas Code of Criminal Procedure, Section 5A (j), compliance with this search warrant is commanded by the 15th business day after the date the warrant is served, except that compliance with this warrant is mandated before the 30th day after service if it is served on the electronic service provider pursuant to Section 5.251 of the Texas Business Organizations Code, by service on the Texas Secretary of State.

HEREIN FAIL NOT, but have you then and there this warrant within eleven days, exclusive of the day of its execution, with your return thereon, showing how you have executed the same.

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SWORN on the 9 day of Nov, 2017, at 3:59 o'clock ~~AM~~ P.M.



Hon. Russell Wilson, Presiding Judge  
218<sup>th</sup> / 81<sup>st</sup> Judicial District Court  
Wilson County, Texas

DEBORAH BRYAN  
CLERK OF COURT  
BY Debra Bryan  
DEPUTY

2017 NOV 15 P 3:45

FILED FOR RECORD  
WILSON CO. TEXAS

1  
2 GENERAL AFFIDAVIT AND APPLICATION FOR SEARCH WARRANT  
3

4 STATE OF TEXAS  
5

6 COUNTY OF WILSON  
7

8 BEFORE THE UNDERSIGNED AUTHORITY PERSONALLY APPEARED THE  
9 AFFIANT HEREIN, A PEACE OFFICER UNDER THE LAWS OF TEXAS, WHO, BEING  
10 DULY SWORN, ON OATH MADE THE FOLLOWING STATEMENTS AND  
11 ACCUSATIONS:  
12

13  
14 **DESCRIPTION OF PREMISES AND PROPERTY TO BE SEARCHED:**  
15

16 iCloud accounts identified by the below listed identities, information, and/or devices:  
17

18 **Individuals:**

19 1. Devin Patrick Kelley DOB 02/12/1991  
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21 **Email Addresses:**  
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27 **Mailing Addresses:**  
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31 **Phone Numbers:**  
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34  
35 **IMEI/ESN Numbers:**  
36

37 358541073944937  
38

39 Which are under the control of Apple located at:  
40

41 Apple Inc.  
42 1 Infinite Loop M/S 36-SU  
43 Cupertino, CA 95014  
44

45 **STATUTE(S) BEING VIOLATED:**  
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47 Capital Murder P.C. 19.03

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**PROPERTY SOUGHT:**

Your Affiant seeks to seize the below-described evidence pursuant to Texas CCP Article § 18.21§, as well as the United States Code 18 U.S.C. 2703, and California Statute § 1524.2, which compel out-of-state electronic communication service or remote computing service that provides such services to the public to provide information requested pursuant to search warrants, court orders or subpoenas issued in the State of Texas. However, because the out-of-state electronic communication service or remote computing service provider has no reasonable means to distinguish evidence of the crimes from any other records contained within the sought-after account, your Affiant seeks to compel the service provider to seize a copy of all records pertaining to the account and provide the entirety of the records to your Affiant. Once your Affiant has obtained those records, your Affiant and/or other representatives of the Texas Department of Public Safety or Law Enforcement Agency shall conduct an actual search of the items obtained from the out-of-state electronic communication service or remote computing service provider in order to sort the evidence of the crimes articulated below and specifically sought herein, which may be intermingled with innocent or innocuous documents or records.

**What is iCloud?**

iCloud stores the users music, photos, apps, contacts, calendars, and more, and wirelessly pushes them to the users iOS device and computers. iCloud is integrated with apps, so everything happens automatically.

**What iCloud Includes:**

iTunes in the Cloud Music that the user purchases in iTunes appears automatically on their devices.

Photo Stream Photos the user takes on an iOS device and photos that they import to their Mac or Windows computer from a digital camera automatically appear on their other devices.

Documents in the Cloud If the user has apps that support Documents in the iCloud on more than one device, iCloud automatically keeps them up to date across those devices.

Apps and Books, Apps and books that the user purchases are stored on the iCloud to sync with their devices automatically.

Bookmarks, iCloud stores and updates bookmarks, reading lists, and the iCloud

Reading Lists, and Tabs, list for Safari (the web browser) on the users iOS devices and iCloud Tabs and Mac computers. Bookmarks are stored URLs of websites, also known as "Favorites". Reading Lists are saved articles that the user has saved to read later. iCloud Tabs are the Internet



1 browser tabs that the user had opened on one device so that they  
2 can continue to browser on another device.

3  
4 Backup and Restore iCloud automatically backs up the users iOS device daily over  
5 WiFi when their device is turned on, locked, and connected to a  
6 power source.

7  
8 Mail, Contacts and Calendar, iCloud automatically keeps mail, contacts, and calendar  
9 events up  
10 to date and synced across devices.

11  
12 Notes and Reminders iCloud stores notes and reminders that the user and create  
13 and edit to be synced across devices

### 14 15 **Why is this Information Important?**

16  
17 For individuals involved in criminal activity that utilize the iCloud and iOS devices there  
18 can be vital evidence to these crimes stored on the iCloud. The backup of an iOS device  
19 can hold information such as Internet history, text messages, photographs, geotagged  
20 information, emails, contacts, along with information that can be stored in apps.

### 21 22 **PROPERTY TO BE PROVIDED BY APPLE**

23  
24 The below requested information is to be supplied from Apple as identified by any  
25 combination of the above information under the description section for the dates of  
26 01/01/2016 through 11/9/2017.

- 27  
28 1. All account information, including but not limited to name, date of birth, social  
29 security number, full on file credit card number, email addresses, phone numbers,  
30 physical addresses, IP logs, list of associated Apple devices, etc.  
31  
32 2. Photo Stream records to include but not limited to album names and photographs  
33 associated with those albums, users account information that own the Photo  
34 Stream and those that are users of the Photo Stream, and any and all metadata  
35 and EXIF data associated with these albums and photographs/videos.  
36  
37 3. Documents in the Cloud to include but not limited to documents that the users  
38 have stored on the cloud, what devices have accessed these documents, what  
39 revisions have been created, and any and all metadata associated with these files.  
40  
41 4. Bookmarks to include but not limited to full URL of all bookmarks, date the  
42 bookmark was created, and how many times that bookmark has been accessed.  
43  
44 5. Reading Lists to include but not limited to full URL of the article, a copy of the  
45 stored electronic version of the article, the date that the article was saved, and how  
46 many times the article has been accessed.  
47

- 1 6. iCloud Tabs to include but not limited to full URL of the tab and the date that the  
2 tab was opened.  
3
- 4 7. Backups to include but not limited to full, unencrypted, non-password restricted  
5 backups of any and all Apple devices stored on the Cloud. These should include  
6 but not be limited to all files associated with an Apple device backup and all data,  
7 such as text messages, GPS location logs, Internet browser history, Internet search  
8 history, photographs, videos, email account information and emails, iMessages,  
9 instant messages, notes, contacts, voice memos, passbook information, calendar  
10 information, reminders, social networking information, financial Apps and  
11 information, metadata and EXIF data associated with these records and files, and  
12 any other data not already mentioned here.  
13
- 14 8. Email stored on the Cloud to include but not limited to email address, any and all  
15 incoming and outgoing emails, dates and times of emails, saved emails, email  
16 drafts, and deleted emails.  
17
- 18 9. Contacts to include but not limited to name, company, phone numbers, email  
19 addresses, associated URLs, physical addresses, prefix, phonetic first name,  
20 phonetic last name, middle, suffix, nickname, job title, department, twitter URL,  
21 profile URL, birthday, date, instant message, related people, and notes.  
22
- 23 10. Calendar to include but not limited to events, date of events, times of events, event  
24 titles, event locations, repeat frequency, invitees, alerts, which calendar it belongs  
25 to, availability status, event URL, and event notes.  
26
- 27 11. Notes to include but not limited to full text of note, date note was created, and the  
28 user that created the note.  
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- 30 12. Reminders to include but not limited to reminder title, date and time of reminder,  
31 repeat frequency of reminder, reminder location notification, and arrival/leave  
32 status, reminder priority, and reminder notes.  
33
- 34 13. All activity, connection, and transactional logs for the account (with associated IP  
35 addresses including source port numbers), including FaceTime invitation logs, mail  
36 logs, iCloud logs, iTunes store logs, and App store logs (including purchases,  
37 downloads, and updates of Apple and third party apps), messaging and query logs  
38 (including iMessage, SMS, and MMS messages), my Apple ID and iForgot logs,  
39 sign on logs for all apple services, Game Center logs, Find my Iphone logs, logs  
40 associated with iOS device activation and upgrades, and logs associated with web-  
41 based access of Apple services (including all associated identifiers).  
42
- 43 14. All files, keys, or other information necessary to decrypt any data produced in an  
44 encrypted form, when available to Apple (including, but not limited to the keybag.txt  
45 and fileinfolist.txt files).  
46

47 **SEARCH CONDUCTED BY LAW ENFORCEMENT**

48

1 These records will be analyzed for evidence relating to the crimes for which this case is  
2 being investigated. Such evidence can be in the form of communications via email, text  
3 message, messaging apps, social media apps, voice messages, or any other forms of  
4 communication that are stored on the iOS device. Evidence may also be in the form of  
5 photographs, videos, metadata, EXIF data, Internet browser history and favorites, apps  
6 that contain specific data related to criminal activity that is not already noted in this  
7 application, and any other electronically stored information, files, or communications that  
8 are evidentiary in value and not already mentioned.

9  
10 **GROUND FOR ISSUANCE:**

11  
12 Evidence relevant to proving a felony has been committed is contained therein, which is  
13 an out-of-state corporation that provides electronic communication services or remote  
14 computing services to the public. Pursuant to Texas Code of Criminal Procedure §  
15 18.21, as well as the United States Code 18 U.S.C. 2703, and California Statute § 1524.2,  
16 a Judge of the Texas Court with competent jurisdiction has jurisdiction to issue a search  
17 warrant for The Premises, an out-of-state corporation that provides electronic  
18 communication services or remote computing services to the public, and that such warrant  
19 shall be executed by civilian personnel employed at The Premises and at the out-of-state  
20 corporation that provides electronic communication services or remote computing services  
21 to the public, and any records found by civilian personnel pursuant to this warrant shall be  
22 returnable to Your Affiant, Texas Ranger Kevin Wright. The facts establishing the  
23 grounds for this affidavit and the probable cause for believing that such facts exist are  
24 detailed and affirmed below.

25  
26 **PROBABLE CAUSE:**

27  
28 Your Affiant, Kevin D. Wright, is a peace officer under the laws of the State of Texas,  
29 currently commissioned as a Texas Ranger with the Texas Department of Public Safety.  
30 Your Affiant has been a commissioned peace officer in the state of Texas with Texas DPS  
31 for more than 17 years. During this time, your Affiant has received extensive specialized  
32 training and instruction in subjects including, but not limited to: arrest, search, and seizure;  
33 manufacture, distribution, and use of narcotics; methods of smuggling narcotics;  
34 techniques and methods of investigation; interview and interrogation; crime scene  
35 investigation; assaultive offenses including sexual assault and murder; violations  
36 committed with the use of cellular telephones and computer technology; extraction of  
37 digital data from multiple types of media; and violations of the laws of the State of Texas  
38 and the United States of America. Your Affiant has conducted numerous criminal  
39 investigations.

40  
41 The facts in this affidavit come from my personal observations, my training and  
42 experience, and information obtained from other officers and witnesses. This affidavit is  
43 intended to show merely that there is sufficient probable cause for the requested warrant  
44 and does not set forth all of my knowledge about this matter.

45  
46 On Sunday, 11/05/2017, your Affiant was requested to assist Company "F" Texas Ranger  
47 Terry Snyder with the investigation into a mass casualty shooting at the First Baptist  
48 Church in Sutherland Springs, Texas. Your Affiant learned that at approximately 11:30

1 AM, an individual entered the First Baptist Church during the morning worship service and  
2 began shooting multiple rounds of ammunition from a rifle at members of the church  
3 congregation. Your Affiant learned that more than twenty (20) individuals were killed  
4 inside the First Baptist Church as a result of the gunman's actions. Your Affiant further  
5 learned as the gunman left the First Baptist Church, the gunman was confronted by  
6 another man armed with a rifle (identified as Stephen Willeford) that resided in close  
7 proximity to the church. The church gunman and Willeford fired rounds of ammunition at  
8 one another until the church gunman got into a white colored Ford Expedition and left the  
9 scene.

10  
11 Your Affiant was advised that the church gunman's white colored Ford Expedition had  
12 been observed by Sheriff's Deputies in nearby Guadalupe County and that the church  
13 gunman was now deceased. It was unknown to your Affiant at that time whether the  
14 church gunman had been shot by Willeford, Sheriff's Deputies, or was deceased as a  
15 result of a self-inflicted gunshot. Your Affiant and two (2) additional Texas Rangers were  
16 assigned to go to that scene and document where the church gunman's vehicle and body  
17 were located.

18  
19 When your Affiant arrived at the scene in Guadalupe County where the church gunman's  
20 vehicle was located, your Affiant noticed that the white colored Ford Expedition displayed  
21 Texas registration [REDACTED]. Your Affiant was advised by Guadalupe County Deputies  
22 that they found the vehicle off the roadway in its current condition. They stated they had  
23 not fired any rounds at the gunman, nor he at them. They stated they believed the  
24 gunman was dead due to a self-inflicted gunshot to his head. Your Affiant learned that the  
25 vehicle was registered to Devin Patrick Kelley. Your Affiant observed a Walgreen's  
26 medication bottle in the console prescribed to Devin Kelley. Your Affiant observed the  
27 dead body of a white male that was partially lying outside the driver side door. The man's  
28 head was lying on the dirt outside the driver side door. The man's legs were still in the  
29 floorboard area of the front driver side of the vehicle. Your Affiant observed what  
30 appeared to be a pistol lying on the floorboard under the man's feet. There was also a  
31 white and silver Apple I-phone on the front floorboard of the vehicle. The Apple I-phone  
32 was a model A1662 cellular telephone with IMEI: 358541073944937. The man was  
33 clothed in black pants and a black shirt. The man also had black body armor that  
34 appeared to be partially taken off. There was at least one pistol magazine in a magazine  
35 holder on the man's belt. The man had what appeared to be a bullet entry wound above  
36 his right ear and a bullet exit wound on the back left side of his head. After the dead body  
37 was removed from the vehicle, the vehicle was towed to the Guadalupe County Sheriff's  
38 Office in Seguin, Texas and secured.

39  
40 Prior to finishing the crime scene investigation, your Affiant observed a white male  
41 standing on the highway near the scene. Your Affiant made contact with the white male,  
42 who identified himself as Johnnie Langendorff Jr. Langendorff advised your Affiant that

1 he was the driver a Dodge pickup parked inside the perimeter of this crime scene.  
2 Langendorff explained to your Affiant that Langendorff was almost to his girlfriend's  
3 residence located near the First Baptist Church in Sutherland Springs. Langendorff stated  
4 he witnessed the church gunman and Willeford exchanging gunfire near the First Baptist  
5 Church. Langendorff advised your Affiant that Willeford approached Langendorff's pickup  
6 as the church gunman fled the scene in the white colored Expedition. Langendorff stated  
7 Willeford told him that the gunman had "shot up the church" and that they needed to  
8 chase him. Langendorff stated Willeford got into his pickup with his rifle and they began  
9 chasing the white colored ford Expedition. Langendorff stated he was calling 911 to  
10 advise the Sheriff's Deputies that the gunman was trying to escape. Langendorff advised  
11 that as they got a few miles away from the First Baptist Church, the white colored  
12 Expedition began to slow down in the roadway. Langendorff further advised that the  
13 Expedition struck a sign near the roadway and began rolling off the roadway and came to  
14 a rest in its current location. Langendorff advised that Willeford pointed his rifle at the  
15 Expedition and waited for the Sheriff's Department to arrive. Langendorff stated that he  
16 and Willeford had no contact with the gunman and that Willeford had not fired any rounds  
17 at the gunman once Willeford got into his pickup. Langendorff stated he told the 911  
18 operator where they were and that deputies needed to respond to their location.

19  
20 Your Affiant has seen the Texas driver license photo of Devin Kelley. Due to all the facts  
21 and circumstances observed and learned by your Affiant, your Affiant believes the  
22 deceased male in the white colored Ford Expedition to be Devin Kelley.

23  
24 During this investigation, your Affiant has reviewed video data from Langendorff's cellular  
25 telephone. This video data was recorded at the scene where Devin Kelly's white Ford  
26 Expedition was recovered. This data is comprised of multiple videos taken at this scene  
27 and your Affiant believes these videos corroborate the information received from  
28 Langendorff and other sources.

29  
30 The Affiant believes that the information stored in the iCloud account of Devin Kelley is  
31 most likely synchronized with Kelley's Apple Iphone. This data could help identify  
32 additional witnesses with pertinent information, as well as possible motives for the  
33 commission of Capital Murder.

34  
35 **Individuals:**

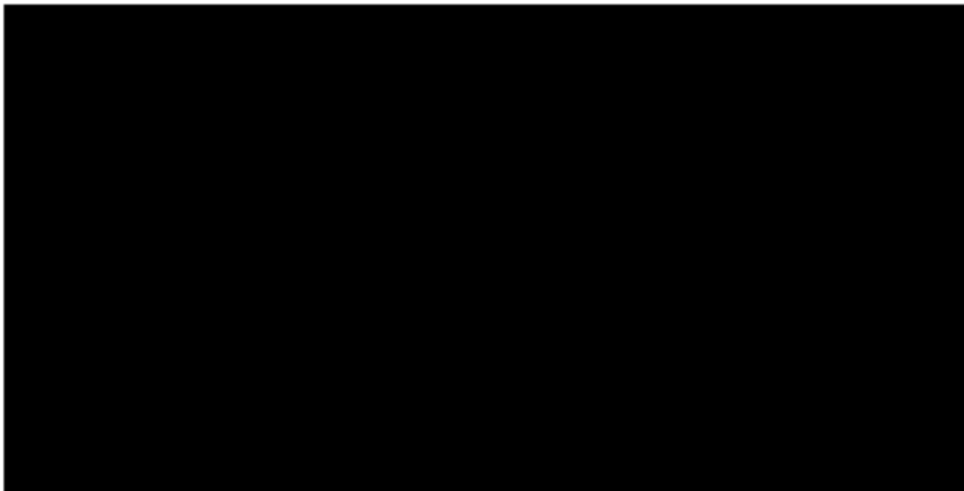
- 36 **1. Devin Patrick Kelley DOB: 02/12/1991**

37

38

1 **Email Addresses:**

2  
3  
4  
5



6

7 **Mailing Addresses:**

8  
9



10 **Phone Numbers:**

11  
12



13 **IMEI/ESN Numbers:**

14 **358541073944937**

15

16

17 The affiant has worked multiple criminal cases involving the use of cellular telephones,  
18 computers, and devices that contain digital data. On many occasions, this digital data has  
19 helped develop information that led to the identification of additional suspects, co-  
20 conspirators, witnesses, and victims, as well as motives for committing those crimes.

21

22 Based on the above information, connections and links, your Affiant believes there is  
23 reason to believe that the Apple accounts for the users listed above contain vital  
24 information in this investigation. Services such as Apple's iCloud are frequently used by  
25 individuals to store data so that it is backed up and can be easily retrieved. Your Affiant  
26 also believes there is a fair probability that evidence from this account may provide  
27 additional evidence in this investigation.

28

29

30 It should be noted that the Texas Legislature passed Article 18.21, Texas CCP, which  
31 provides that out-of-state electronic communication service providers doing business with

1 the public must accept Texas subpoenas, court orders or search warrants. Proper service  
2 includes U.S. mail, Electronic Mail, and facsimile. California Penal Code section 1524.2  
3 (2003) contains similar provisions. Specifically, subsection (c) states, "A California  
4 corporation that provides electronic communication services or remote computing services  
5 to the general public, when served with a warrant issued by another state to produce  
6 records that would reveal the identity of the customers using those services, data stored  
7 by, or on behalf of, the customer, the customer's usage of those services, the recipient or  
8 destination of communications sent to or from those customers, or the content of those  
9 communications, shall produce those records as if that warrant had been issued by a  
10 California court."

11  
12  
13 Subsection (a)(6) provides,  
14  
15

16 "Properly served" means that a search warrant has been delivered by hand, or in a  
17 manner reasonably allowing for proof of delivery if delivered by United States mail,  
18 overnight delivery service, electronic mail, or facsimile to a person or entity listed in  
19 Section 2110 of the Corporations Code."  
20  
21

22 WHEREFORE, your Affiant hereby makes application for a Search Warrant authorizing  
23 the Affiant, and/or other representatives of the Texas Department of Public Safety as well  
24 as Agents of the United States of America, with proper and necessary assistance, to  
25 search the above described premise in a manner consistent with TX CCP 18.21 and  
26 California Penal Code section 15.24.2, by delivering said warrant via facsimile, electronic  
27 mail, or U.S. mail to an authorized legal representative of Apple, and to seize any and all  
28 of the aforesaid property found by virtue of such Search Warrant within ten days of this  
29 date.  
30

31   
32 \_\_\_\_\_  
33 AFFIANT Texas Ranger Kevin Wright

34 SWORN TO AND SUBSCRIBED before

35 Me, a Texas Magistrate, located in the county of Williamson, this 7<sup>th</sup> day  
36 Of November, A.D. 2017.  
37  
38  
39  
40  
41  
42  
43  
44  
45



Honorable Russell Wilson  
Presiding Judge  
218<sup>th</sup> / 81<sup>st</sup> Judicial District Court  
Wilson County, Texas

BY:   
DEBORAH BRYAN  
DISTRICT CLERK

2017 NOV 15 P 3:46

FILED FOR RECORD  
WILSON CO. TEXAS