

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE  
IN AND FOR NEW CASTLE COUNTY

IN THE MATTER OF THE APPLICATION )  
OF THE STATE OF DELAWARE FOR AN )  
ORDER AUTHORIZING THE )  
INSTALLATION OF A PEN REGISTER AND )  
A CALLER IDENTIFICATION SYSTEM )

APPLICATION

Your Applicant, Detective [redacted] of the Delaware State Police Department, is a law enforcement officer as defined in 11 DEL. C. § 2401(11), and therefore, pursuant to 11 DEL. C. § 2432, hereby applies for an Order authorizing the installation and use of a device known as a Pen Register \ Trap & Trace to include cell site information, call detail, without geographical limits, which registers telephone numbers dialed or pulsed from or to the telephone(s) having the number(s): [redacted], a AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Cellco Partnership, DBA Verizon Wireless; Cricket Communications, Inc; and / or any other Telecommunication service provider a cellular telephone.

In support of this application, your applicant states as follows:

Your applicant, Detective [redacted] of the Delaware State Police Department, has been engaged in an investigation of Assault 1st by an individual known to your affiant as [redacted] is under investigation for violation of Assault 1st. The following information is offered in support of probable cause for the interception of real-time cell site information:

- I. Detective [redacted] of the Delaware State Police certifies [redacted] is being investigated by the Delaware State Police, for suspected criminal activity involving, but not limited to, violations of the following sections of the Delaware Criminal Code: Assault 1<sup>st</sup> DE 11 0613
- II. The circumstances involved in the above offenses have been examined, investigated and checked; the details of which are set forth as probable cause in the Affidavit attached to this application.
- III. Your Applicant hereby certifies that the installation of the Pen Register and Trap and Trace Device will likely provide information concerning the

aforesaid individual's location which will be obtained by learning the numbers, locations and subscribers of the telephone number(s) being dialed or pulsed from or to the aforesaid telephone and that such information is relevant to the ongoing criminal investigation being conducted by the Agency.

- IV. Delaware State Police investigation revealed that Metro PCS is the carrier company for telephone facility [REDACTED]. This information was obtained on 03-15-2016 by the following means: Investigative data base Neu Star
- V. Based on the attached Affidavit of Probable Cause, Applicant respectfully requests that this Court issue an order authorizing the installation and use of a Pen Register/Trap and Trace Device.

**WHEREFORE**, the State of Delaware respectfully requests that this Court grant an Order:

- A. Authorizing the Agency to install and use a Pen Register/Trap & Trace to include cell site information, call detail, without geographical limits upon the aforesaid telephone(s) for a period of time not to exceed sixty (60) days.
- B. Directing that the Agencies shall complete the necessary installation of the Pen Register/Trap & Trace, utilizing AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Cellco Partnership, DBA Verizon Wireless; Verizon; Cricket Communications, Inc; and / or any other Telecommunication service provider providing service for the above listed target phone number, facilities, technical information and equipment, if required.
- C. Directing that if requested by the agencies, AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Cellco Partnership, DBA Verizon Wireless, Verizon; Cricket Communications, Inc; and / or any other Telecommunication service provider, direct the target telephone number to operate according to the Global System for Mobile Communications (GSM), Code Division Multiple Access (CDMA) , or Integrated Digital Enhanced Network (iDEN) protocols as applicable.
- D. Directing that if requested by the agencies, T-Mobile and/or AT&T direct the target telephone number to operate according to the Global System for Mobile Communications (GSM) protocols.
- E. Directing that the Agencies are authorized to employ surreptitious or duplication of facilities, technical devices or equipment to accomplish the installation and use of a Pen Register \ Trap & Trace, unobtrusively and with a minimum of interference to the service of the subscriber(s) of the aforesaid telephone, and shall initiate a signal to determine the location of the subject's mobile device on the service provider's network or with such

other reference points as may be reasonably available, Global Position System Tracing and Tracking, Mobile Locator tools, R.T.T. (Real Time Tracking Tool), Precision Locations and any and all locations, and such provider shall initiate a signal to determine the location of the subject's mobile device on the service provider's network or with such other reference points as may be reasonably available and at such intervals and times as directed by the law enforcement agent / agencies serving the Order.

- F. Directing that there are specific and articulate facts that AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Cellco Partnership, DBA Verizon Wireless, Verizon; Cricket Communications, Inc; and / or any other Telecommunication service provider providing service for the above listed target phone number, shall furnish the Agencies with all information, facilities, cell site locations with sector information, any and all equipment information including (but not limited to ) mobile equipment identifier (MEID), mobile station identification (MSID), international mobile subscriber identifier (IMSI), electronic serial number (ESN), subscriber identity module (SIM), international mobile equipment identity (IMEI) and other equipment identifying number(s), subscriber and billing information including (but not limited to) the amount of money/minutes on prepaid phones, account information including (but not limited to) customer comments, remarks, or any other customer contact notations and other phone number[s] on the account, call history records, and technical assistance necessary to accomplish the installation and use of a Pen Register \ Trap & Trace, unobtrusively and with a minimum of interference to the service of the subscriber(s) of the aforesaid telephone, Global Position System Tracing and Tracking, Mobile Locator tools, R.T.T. (Real Time Tracking Tool), Precision Locations and any and all locations.
- G. Directing AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Cellco Partnership, DBA Verizon Wireless, Verizon; Cricket Communications, Inc; and / or any other Telecommunication service provider to provide twenty-four (24) hour technical support and implementation assistance.
- H. Directing AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Cellco Partnership, DBA Verizon Wireless, Verizon; Cricket Communications, Inc; and / or any other Telecommunication service provider to provide any and all historical billing and subscriber information listed to this number and line, and / or any number(s) and line(s) that this target number has been changed to within ten (10) days prior to the implementation of this order.
- I. Directing the Agency to compensate AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Cellco Partnership, DBA Verizon Wireless, Verizon; Cricket Communications, Inc; and / or any other Telecommunication service provider for reasonable expenses for the services, which the

Company is providing.


- J. Directing AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Celco Partnership, DBA Verizon Wireless, Verizon; Cricket Communications, Inc; and / or any other Telecommunication service provider shall continue to provide the Agencies subscriber information of telephone numbers dialed from or to the aforesaid telephone, provided such request is made within ten (10) days of the expiration of the Order and provide up to 365 days of prior detailed call history information, of the aforesaid target telephone, only if requested by the Agency.
- K. Directing that Verizon Inc., Comcast, Cavalier, AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Celco Partnership, DBA Verizon Wireless, Verizon; Cricket Communications, Inc; and / or any other Telecommunication service provider shall provide the Agencies with subscriber information of published and non-published telephone numbers obtained from the aforesaid telephone, provided that the request for such information is made within ten (10) days of the expiration of the Order.
- L. Directing that AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Celco Partnership, DBA Verizon Wireless, Verizon; Cricket Communications, Inc; and / or any other Telecommunication service provider and its agents and employees are prohibited from disclosing to the subscriber(s) of the aforesaid telephone(s) or to any other person(s) the existence of this Application and Order, the existence of the investigation identified in the Application or the fact that the Pen Register \ Trap & Trace to include cell site information, call detail, without geographical limits, is being installed and used upon the aforesaid telephone(s).
- M. Directing that the Order authorizing the installation and use of the devices apply not only to the presently assigned number(s) and line(s), but to any subsequent number(s), line(s) or service(s) assigned to replace the original number(s) or line(s); and that any change to the service(s), additional services, leased or purchased equipment, enhanced and/or special or custom feature(s), ) mobile equipment identifier (MEID), changing of mobile station identification (MSID), international mobile subscriber identifier (IMSI), electronic serial number (ESN), subscriber identity module (SIM), or international mobile equipment identity (IMEI) be disclosed to the Applicants.
- N. Directing that during the effective period of the Order, AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Celco Partnership, DBA Verizon Wireless, Verizon; Cricket Communications, Inc; and / or any other Telecommunication service provider, shall not discontinue, suspend, or change the provision of service to the above-described telephone(s) for any reason, including but not limited to suspicion of fraud, or non-payment of outstanding bills without first providing notice to the Agencies, via the Delaware State Police Department Criminal Intelligence

Section and without further providing the Agencies with the opportunity to assume the cost of any unpaid services provided by AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Cellco Partnership, DBA Verizon Wireless, Verizon; Cricket Communications, Inc; and / or any other Telecommunication service provider. Directing the Agencies shall pay the cost of any unpaid services provided by AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Cellco Partnership, DBA Verizon Wireless, Verizon; Cricket Communications, Inc; and / or any other Telecommunication service provider with respect to the above-described cellular telephone(s), from the date AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Cellco Partnership, DBA Verizon Wireless, Verizon; Cricket Communications, Inc; and / or any other Telecommunication service provider notifies the Agencies of its intention to discontinue, suspend or change the provision of service(s) to the phone(s), up until the date that the Agencies advises AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Cellco Partnership, DBA Verizon Wireless, Verizon; Cricket Communications, Inc; and / or any other Telecommunication service provider that it will not or will no longer assume and pay the cost of continued unpaid service(s).

- O. Directing AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Cellco Partnership, DBA Verizon Wireless, Verizon; Cricket Communications, Inc; and / or any other Telecommunication service provider will not sell or transfer the telephone number(s) or facility(ies) without prior notice to the Agency.
- P. Directing that AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Cellco Partnership, DBA Verizon Wireless, Verizon; Cricket Communications, Inc; and / or any other Telecommunication service provider provide the Agency with identical services to those received by the subscriber(s), including all communications transmitted over the telephone(s) that the subscriber(s) receive(s), regardless of which other communications common carrier'(s) facilities are involved.
- Q. Directing that AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Cellco Partnership, DBA Verizon Wireless, Verizon; Cricket Communications, Inc; and / or any other Telecommunication service provider provide the Agency with all call data content, transactional/call, data/call detail and cell site data simultaneous with all communications over ~~the~~.
- R. Directing that this Application and Order be sealed.

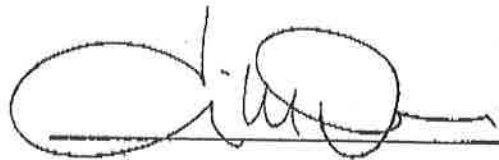
**WHEREFORE**, it is respectfully requested that the Court grant an Order for the installation of the pen register and a caller identification system (trap and trace device) pursuant to *11 DEL. C. § 2433*.

Respectfully submitted,

  
\_\_\_\_\_  
Detective  
Delaware State Police

**Sworn and subscribed this 17th day of March, 2016.**

Upon a finding that probable cause exists based upon the information supplied in this application, that the said individual is using the above captioned cell phone for criminal activity and that the application will lead to evidence of the crime(s) under investigation.

  
\_\_\_\_\_

Judge

Superior Court State of Delaware

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE  
IN AND FOR NEW CASTLE COUNTY

IN THE MATTER OF THE APPLICATION )  
OF THE STATE OF DELAWARE FOR AN )  
ORDER AUTHORIZING THE )  
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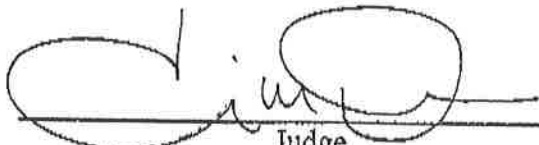
AFFIDAVIT

Your affiant is Detective [redacted] with the Delaware State Police.  
Your affiant is currently assigned to the Criminal Investigation Unit. I am a law  
enforcement officer of the State of Delaware within the meaning of 11 DEL. C. §  
2401(11) and empowered by law to conduct investigations and make arrests.

—

*1*  
~~\_\_\_\_\_~~  
**Detective**  
Delaware State Police

**Sworn and subscribed this 17th day of March, 2016.**

  
\_\_\_\_\_  
Judge  
Superior Court State Of Delaware



IN THE SUPERIOR COURT OF THE STATE OF DELAWARE  
IN AND FOR NEW CASTLE COUNTY

IN THE MATTER OF THE APPLICATION )  
OF THE STATE OF DELAWARE FOR AN )  
ORDER AUTHORIZING THE )  
INSTALLATION OF A PEN REGISTER AND )  
A CALLER IDENTIFICATION SYSTEM )

**ORDER**

Upon the foregoing Application of the State of Delaware for an Order authorizing the use of a device, known as a Pen Register \ Trap & Trace to include cell site information, call detail, without geographical limits, the Court finds that probable cause exists that the applicant has certified that the information likely to be obtained by the use of the above listed device(s) is relevant to an ongoing criminal investigation, To wit: *Assault 1<sup>st</sup> DE 11/0613*

**It is this 17th day of March 2016**

**ORDERED**, pursuant to *11 DEL. C. § 2433* authorizing the installation and use of a pen register and a caller identification system (trap and trace device) on telephone ~~\_\_\_\_\_~~, that as part of a criminal investigation of **Assault suspect** ~~\_\_\_\_\_~~ and/or others as yet unknown, the Delaware State Police Department or any other designated law enforcement agency (hereinafter referred to as "Agencies") are authorized to use for a period of sixty (60) days from the date of installation, a Pen Register \ Trap & Trace to include cell site information, call detail, without geographical limits, which shall be installed and used within the jurisdiction of this Court, upon the telephone(s) having the number(s): ~~\_\_\_\_\_~~, an AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Cellco Partnership, DBA Verizon Wireless, Verizon; Cricket Communications, Inc; and / or any other Telecommunication service provider, cellular telephone; and it is further

**ORDERED**, that the Agencies shall complete the necessary installation of the Pen Register \ Trap & Trace, utilizing AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Cellco Partnership, DBA Verizon Wireless, Verizon; Cricket Communications, Inc; and / or any other Telecommunication service provider providing service for the above listed target phone number, facilities, technical information and equipment, if required. The Agencies are authorized to employ surreptitious or duplication of facilities, technical devices or equipment to accomplish the installation and use of a Pen Register \ Trap & Trace, unobtrusively and with a minimum of interference to the service of the subscriber(s) of the aforesaid telephone, and shall initiate a signal to determine the

location of the subject's mobile device on the service provider's network or with such other reference points as may be reasonably available, Global Position System Tracing and Tracking, Mobile Locator tools, R.T.T. (Real Time Tracking Tool), Precision Locations and any and all locations, and such provider shall initiate a signal to determine the location of the subject's mobile device on the service provider's network or with such other reference points as may be reasonably available and at such intervals and times as directed by the law enforcement agent / agencies serving this order; and it is further

**ORDERED**, that if requested by the agencies, AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Cellco Partnership, DBA Verizon Wireless, Verizon; Cricket Communications, Inc; and / or any other Telecommunication service provider, direct the target telephone number to operate according to the Global System for Mobile Communications (GSM), Code Division Multiple Access (CDMA) , or Integrated Digital Enhanced Network (iDEN) protocols as applicable; and it is further

**ORDERED**, that there are specific and articulate facts that AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Cellco Partnership, DBA Verizon Wireless, Verizon; Cricket Communications, Inc; and / or any other Telecommunication service provider providing service for the above listed target phone number, shall furnish the Agencies with all information, facilities, cell site locations with sector information, any and all equipment information including (but not limited to) mobile station identification (MSID), international mobile subscriber identifier (IMSI), electronic serial number (ESN), subscriber identity module (SIM), international mobile equipment identity (IMEI) and other equipment identifying number(s), subscriber and billing information including (but not limited to) the amount of money/minutes on prepaid phones, account information including (but not limited to) customer comments, remarks, or any other customer contact notations and other phone number[s] on the account, call history records, and technical assistance necessary to accomplish the installation and use of a Pen Register \ Trap & Trace, unobtrusively and with a minimum of interference to the service of the subscriber(s) of the aforesaid telephone, Global Position System Tracing and Tracking, Mobile Locator tools, R.T.T. (Real Time Tracking Tool), Precision Locations and any and all locations; and it is further

**ORDERED**, AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Cellco Partnership, DBA Verizon Wireless, Verizon; Cricket Communication, Inc; and / or any other Telecommunication service provider shall provide twenty four(24) hour technical support and implementation assistance; and it is further

**ORDERED**, AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Cellco Partnership, DBA Verizon Wireless, Verizon; Cricket Communications, Inc; and / or any other Telecommunication service provider shall provide any and all historical billing and subscriber information listed to this number and line, and / or any number(s) and line(s) that this target number has been changed to within one hundred and eighty (180) days prior to the implementation of this order; and it is further

**ORDERED**, that the Agencies shall compensate AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Cellco Partnership, DBA Verizon Wireless, Verizon; Cricket Communications, Inc; and / or any other Telecommunication service provider for reasonable expenses for services which the Company is providing; and it is further

**ORDERED**, AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Cellco Partnership, DBA Verizon Wireless, Verizon; Cricket Communications, Inc; and / or any other Telecommunication service provider shall continue to provide the Agencies subscriber information of telephone numbers dialed from or to the aforesaid telephone, provided such request is made within ten (10) days of the expiration of the Order and provide up to 365 days of prior detailed call history information, of the aforesaid target telephone, only if requested by the Agency; and it is further

**ORDERED**, that Verizon, Inc., Comcast, Cavalier, AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Cellco Partnership, DBA Verizon Wireless, Verizon; Cricket Communications, Inc; and / or any other Telecommunication service provider shall provide the Agencies with subscriber information of published and non-published telephone numbers obtained from the aforesaid telephone, provided that the request for such information is made within ten (10) days of the expiration of this Order, and it is further

**ORDERED**, that AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Cellco Partnership, DBA Verizon Wireless, Verizon; Cricket Communications, Inc; and / or any other Telecommunication service provider and its agents and employees are prohibited from disclosing to the subscriber(s) of the aforesaid telephone(s) or to any other person(s) the existence of this Application and Order, the existence of the investigation identified in the Application or the fact that the Pen Register \ Trap & Trace to include cell site information, call detail, without geographical limits, is being installed and used upon the aforesaid telephone(s); and it is further

**ORDERED**, that the Order authorizing the installation and use of the devices apply not only to the presently assigned number(s) and line(s), but to any subsequent number(s), line(s) or service(s) assigned to replace the original number(s) or line(s); and that any change to the service(s), additional services, leased or purchased equipment, enhanced and/or special or custom feature(s), ) mobile equipment identifier (MEID), changing of mobile station identification (MSID), international mobile subscriber identifier (IMSI), electronic serial number (ESN), subscriber identity module (SIM), or international mobile equipment identity (IMEI) be disclosed to the Applicants; follow the electronic serial number (ESN) or the mobile subscriber number associated with account, and it is further

**ORDERED** that during the effective period of this Order, AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Cellco Partnership, DBA Verizon Wireless, Verizon; Cricket

Communications, Inc; and / or any other Telecommunication service provider, shall not discontinue, suspend, or change the provision of service to the above-described telephone(s) for any reason, including but not limited to suspicion of fraud, or non-payment of outstanding bills without first providing notice to the Agencies, via the Delaware State Police Criminal Intelligence Section and without further providing the Agencies with the opportunity to assume the cost of any unpaid services provided by AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Cellco Partnership, DBA Verizon Wireless, Verizon; Cricket Communications, Inc; and / or any other Telecommunication service provider. The Agencies shall pay the cost of any unpaid services provided by AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Cellco Partnership, DBA Verizon Wireless, Verizon; Cricket Communications, Inc; and / or any other Telecommunication service provider with respect to the above-described cellular telephone(s), from the date AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Cellco Partnership, DBA Verizon Wireless, Verizon; Cricket Communications, Inc; and / or any other Telecommunication service provider notifies the Agencies of its intention to discontinue, suspend or change the provision of service(s) to the phone(s), up until the date that the Agencies advises AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Cellco Partnership, DBA Verizon Wireless, Verizon; Cricket Communications, Inc; and / or any other Telecommunication service provider that it will not or will no longer assume and pay the cost of continued unpaid service(s); and AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Cellco Partnership, DBA Verizon Wireless, Verizon; Cricket Communications, Inc; and / or any other Telecommunication service provider will not sell or transfer the telephone number(s) or facility(ies) without prior notice to the Agency; and it is further

**ORDERED** that AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Cellco Partnership, DBA Verizon Wireless, Verizon; Cricket Communications, Inc; and / or any other Telecommunication service provider provide the Agency with identical services to those received by the subscriber(s), including all communications transmitted over the telephone(s) that the subscriber(s) receive(s), regardless of which other communications common carrier'(s) facilities are involved; and it is further

**ORDERED** that AT&T; Sprint / Nextel; Virgin Mobile; T-Mobile; Cellco Partnership, DBA Verizon Wireless, Verizon; Cricket Communications, Inc; and / or any other Telecommunication service provider provide the Agency with all call data content, transactional/call, data/call detail and cell site data simultaneous with all communications over 3; and it is further

**ORDERED**, that this Order and Application be sealed until further Order of the court.

**ORDERED**, that the effective period of this Order begins on *March 17, 2016 and shall run for an additional 90 days.*  
 It is this 17th day of March, 2016



Judge  
 Superior Court State of Delaware

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE: New Castle County

STATE OF DELAWARE  
IN THE MATTER OF:

SEARCH WARRANT

[REDACTED]  
T-Mobile

APPLICATION AND AFFIDAVIT  
FILED UNDER SEAL

The facts tending to establish probable cause for believing that the foregoing grounds for the application exist are as follows:

INTRODUCTION AND AFFIANT BACKGROUND:

1. I, Detective [REDACTED], am a detective with the Delaware State Police assigned to Criminal Investigation Unit located in Newark, New Castle County, State of Delaware. I have been employed by the Delaware State Police for the past [REDACTED] years and have been a Detective for the past [REDACTED] years. I have written, co-written, and executed numerous search warrants during my career.
2. I make this affidavit in support of an application for a search warrant to authorize law enforcement to employ an electronic investigative technique further described in this application and affidavit, in order to identify and locate the cellular device [or devices if warrant for more than 1] carried by [REDACTED], T-Mobile cell phone [REDACTED], described in this warrant.
3. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other officers and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge. No exculpatory information has been excluded from this warrant.
4. Based on the facts set forth in this affidavit, there is probable cause to believe that violations of Assault 1<sup>st</sup> 11 0613 00a1 FB have been committed, are being committed, and will be committed by [REDACTED]. There is also probable cause to believe that the identity and location of the Target Cellular Device may constitute evidence of those criminal violations. In addition, in order to obtain additional evidence relating to the Target Cellular Device, its user, and the criminal violations under investigation, law enforcement must first locate and identify the Target Cellular Device. There is probable cause to believe that the use of the investigative technique described by the warrant will result in officers learning that information.
5. Because collecting the information authorized by this warrant may fall within the statutory definitions of a "pen register" or a "trap and trace device," see Title 11 §2431 through §2434, this warrant includes all the information required to be included in a pen register order.

PROBABLE CAUSE:

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE: New Castle County

STATE OF DELAWARE

IN THE MATTER OF:

~~\_\_\_\_\_~~  
T-Mobile

**SEARCH WARRANT**

APPLICATION AND AFFIDAVIT  
FILED UNDER SEAL

—

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE: New Castle County

STATE OF DELAWARE

SEARCH WARRANT

IN THE MATTER OF:

APPLICATION AND AFFIDAVIT

T-Mobile

FILED UNDER SEAL

**MANNER OF EXECUTION**

- 6. In my training, and experience, I have learned that cellular phones and other cellular devices communicate wirelessly across a network of cellular infrastructure, including towers that route and connect individual communications. When sending or receiving a communication, a cellular device broadcasts certain signals to the cellular tower that is routing its communication. These signals include a cellular device's unique identifiers.

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE: New Castle County

STATE OF DELAWARE  
IN THE MATTER OF:

SEARCH WARRANT

APPLICATION AND AFFIDAVIT  
FILED UNDER SEAL

T-Mobile

- 7. To facilitate the execution of this warrant, law enforcement use an Investigative device that sends signals to nearby cellular devices, including the Target Cellular Device, and in reply, the nearby cellular devices will broadcast signals that include their unique identifiers. The investigative device may function in some respects like a cellular tower, except that it will not be connected to the cellular network and cannot be used by a cellular device to communicate with others. Law enforcement request to use this investigative device when and where they have reason to believe that [redacted] is present in the targeted area and is in possession of the target cellular device.
- 8. The investigative device may interrupt cellular service of cellular devices within its immediate vicinity. Any service disruption will be brief and temporary, and all operations will attempt to limit the interference of cellular devices. Once law enforcement has identified the Target Cellular Device, it will delete all information concerning non-targeted cellular devices that may have been captured when employing this Investigative technique. Absent further order of the court, law enforcement will make no investigative use of information concerning non-targeted cellular devices other than distinguishing the Target Cellular Device from all other devices.

**AUTHORIZATION REQUEST**

- 9. Based on the foregoing, I request that the Court issue the proposed search warrant. I further request that the Court authorize execution of the warrant at any time of day or night, owing to the potential need to identify the Target Cellular Device outside of daytime hours. The search of the Target Cellular Device is necessary in the nighttime in order to prevent the escape or removal of the [redacted] being searched as stated above
- 10. I further request that the Court order that all papers in support of this application, including the affidavit and search warrant, be sealed until further order of the Court. These documents discuss an ongoing criminal investigation that is neither public nor known to the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize this investigation.

Respectfully submitted, [Signature]

Detective [Signature]

Subscribed and sworn to before me on March 17, 2016 :

[Signature]

Superior Court Judge





IN THE SUPERIOR COURT OF THE STATE OF DELAWARE: New Castle County

STATE OF DELAWARE  
IN THE MATTER OF:

SEARCH WARRANT

T-Mobile (

APPLICATION AND AFFIDAVIT  
FILED UNDER SEAL

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IN THE SUPERIOR COURT OF THE STATE OF DELAWARE: NEW CASTLE County  
STATE OF DELAWARE  
IN THE MATTER OF: SEARCH WARRANT

T-Mobile

APPLICATION AND AFFIDAVIT  
FILED UNDER SEAL

STATE OF DELAWARE  
COUNTY OF New Castle

DATE OF APPLICATION COMPLAINT NO:  
03/17/2016

Be it remembered that on this 16<sup>th</sup> day of March, 2016, before me

(Authority) Eric M. Davis, Judge Superior Court

NAME (S) OF AFFIANT (S)

Detective OF Delaware State Police Criminal Investigation Unit  
OF

...personally appeared and being duly sworn (affirmed) according to law, depose (s) and say (s) that there is probable cause to believe that T-Mobile [redacted] is evidence of a crime and it, and the signals emanating from it, are otherwise subject to seizure and is located in the possession of [redacted], a person believed to have committed Assault 1st in violation of DE 11 0613 00a1 FB

This warrant authorizes the use of the electronic investigative technique described below to locate the target cellular device when the officers to whom it is directed have reason to believe that [redacted] is present. This technique may be used to locate the target cellular device at the following locations:

Area to be searched will determined based on past, current and future real time location information being received from the cellular network carrier of the targeted device

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE: NEW CASTLE County  
 STATE OF DELAWARE { SEARCH WARRANT  
 IN THE MATTER OF: {  
 T-Mobile {

APPLICATION AND AFFIDAVIT  
 FILED UNDER SEAL

**SPECIFIC DESCRIPTION OF INVESTIGATIVE TECHNIQUE USED FOR THE SEARCH:**

The "Target Cellular Device" is the cellular device or devices carried by ~~\_\_\_\_\_~~. Pursuant to an investigation of *Domestic violence assault* for a violation of *Assault 1<sup>st</sup> 11 0613 00a1 FB* this warrant authorizes the officers to whom it is directed to identify and locate the Target Cellular Device by collecting radio signals, including the unique identifiers, emitted by the Target Cellular Device and other cellular devices in its vicinity for a period of three days, during all times of day and night.

Absent further notice of a court, law enforcement will make no affirmative investigative use of any identifiers collected from cellular devices other than the Target Cellular Device, except to identify the Target Cellular Device and distinguish it from the other cellular devices. Once investigators ascertain the location and identity of the Target Cellular Device, they will end the collection, and any information collected concerning cellular devices other than the Target Cellular Device will be deleted.

This warrant does not authorize the interception of any telephone calls, text messages, or other electronic communications, and this warrant prohibits the seizure of any tangible property. This Court finds reasonable necessity for the use of the technique authorized above.

**PERSON (S) BEING SEARCHED:**

NAME AND/OR PHYSICAL DESCRIPTION OF THE SUSPECT/SUBJECT OF INVESTIGATION  
~~\_\_\_\_\_~~

**VIOLATION OF (Describe Conduct or Specify Statute):** Assault 1<sup>st</sup> 11 0613 00a1 FB

**[AFFIDAVIT]**

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE: NEW CASTLE County  
 STATE OF DELAWARE { SEARCH WARRANT  
 IN THE MATTER OF: {  
 T-Mobile {


**APPLICATION AND AFFIDAVIT  
 FILED UNDER SEAL**

WHEREFORE, this (these) affiant (s) prays (or pray) that a search warrant be issued authorizing a search of the aforesaid by collecting radio signals, including the unique identifiers, emitted by the Target Cellular Device and other cellular devices in its vicinity for a period of 10 days during all times of day and night in the manner provided by law.

  
 \_\_\_\_\_  
 Affiant

\_\_\_\_\_  
 Affiant

Sworn to (or affirmed) and subscribed before me this \_\_\_\_\_ day of March, A.D. 2016

  
 \_\_\_\_\_  
 Judge  
 Superior Court of the State of Delaware

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE: New Castle County

STATE OF DELAWARE

SEARCH WARRANT

IN THE MATTER OF:

T-Mobile

APPLICATION AND AFFIDAVIT  
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STATE OF DELAWARE  
COUNTY OF New Castle County

DATE OF APPLICATION COMPLAINT NO:

03/17/2016

THE STATE OF DELAWARE TO:

Detective [redacted] OF

Delaware State Police Criminal Investigation Unit

With the assistance of any police officer or constable or any other necessary or proper person or persons or assistance.

**GREETINGS:**

Upon the annexed affidavit and application or complaint for a search warrant, as I am satisfied that there is probable cause to believe that:

**ITEMS TO BE SEARCHED FOR AND SEIZED:**

This warrant authorizes the use of an electronic investigative technique whereby law enforcement officers may use an investigative device that sends signals to nearby cellular devices, including the identified Target Cellular Device, and in reply, nearby cellular devices will broadcast signals that include their unique identifiers. The investigative device functions in some respects like a cellular tower, except that it will not be connected to the cellular network and cannot be used by a cellular device to communicate with others. The investigative device may interrupt cellular service of cellular devices within its immediate vicinity. Any service disruption will be brief and temporary, and all operations will attempt to limit the interference of cellular devices. Once law enforcement has identified the Target Cellular Device, all information concerning non-targeted cellular devices that may have been captured when employing this investigative technique shall be deleted. Absent further order of the court, law enforcement will make no investigative use of information concerning non-targeted cellular devices other than distinguishing the Target Cellular Device from all other devices.

Law enforcement officers may use this investigative device when and where they have reason to believe that [redacted] is present in the targeted area and is in possession of the target cellular device. This technique may be used at the following locations  
Locations to be searched will be determined based on past, current and future real time location information being received from the cellular network carrier of the targeted device

**Used or Intended to be used for:** Assault 1<sup>st</sup> DE 11 0613 ooa1 FB

*Evidence of the crimes specified herein and identification of those involved as described in the annexed affidavit and application or complaint;*

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE: New Castle County

STATE OF DELAWARE

IN THE MATTER OF:

{  
{

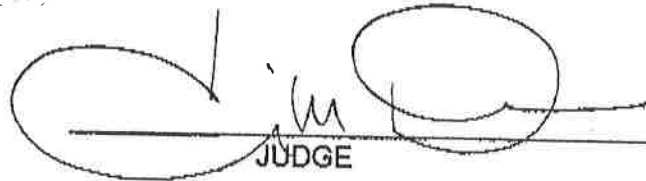
SEARCH WARRANT

T-Mobile

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NOW THEREFORE, YOU ARE HEREBY COMMANDED within three (10) days of the date hereof to use the identified electronic investigative technique in the areas set for the herein to locate and identify the Target Cellular Device identified herein, and serving this warrant and making the search in the daytime, or in the nighttime if the property to be searched is not a dwelling house, and giving to the person identified as associated with the Target Cellular Device from whom or from whose premises the electronic signals were captured a copy of the warrant, or leaving the copy at the place from which the property was taken, and to return this warrant, accompanied by a written statement of the use of the electronic investigative technique and any data retained, to me forthwith.

DATED the 17<sup>th</sup> day of March, A.D. 2016

  
\_\_\_\_\_  
JUDGE

*Eric M. Davis*  
\_\_\_\_\_  
SUPERIOR COURT OF THE STATE OF DELAWARE