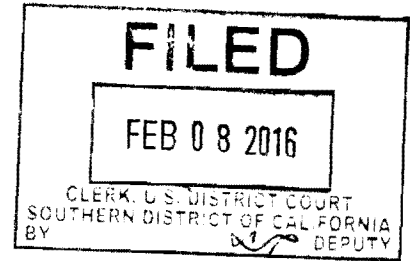


UNITED STATES DISTRICT COURT

for the Southern District of California



In the Matter of the Search of (Briefly describe the property to be searched or identify the person by name and address)

Information associated with a Samsung Galaxy S5, Model SM-G900A at Google, Inc., 1600 Amphitheatre Parkway in Mountain View, CA

Case No.

APPLICATION FOR A SEARCH WARRANT

'16 MJ0381

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location): See Attachment A

located in the NORTHERN District of CALIFORNIA, there is now concealed (identify the person or describe the property to be seized): See Attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- [x] evidence of a crime; [ ] contraband, fruits of crime, or other items illegally possessed; [x] property designed for use, intended for use, or used in committing a crime; [ ] a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Table with 2 columns: Code Section (18 U.S.C. 2113(a)), Offense Description (Bank Robbery)

The application is based on these facts: See attached AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR A SEARCH WARRANT

- [x] Continued on the attached sheet. [ ] Delayed notice of 30 days (give exact ending date if more than 30 days: ) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Applicant's signature: David Coonan Special Agent

Sworn to before me and signed in my presence.

Date: 02/08/2016

Judge's signature: HON. BARBARA L. MAJOR, US MAGISTRATE JUDGE

City and state: San Diego, California

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X6731  
02/08/16

AFFIDAVIT IN SUPPORT OF  
APPLICATION FOR SEARCH WARRANT

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3 I, David Coonan, being duly sworn, hereby depose and  
4 state as follows:

5 1. I am a Special Agent of the Federal Bureau of  
6 Investigation, and have been so employed for approximately five  
7 years.

8 2. I am currently assigned to the San Diego Office, North  
9 County Resident Agency, where I investigate white collar crimes,  
10 including bank fraud, investment fraud, mail and wire fraud, as  
11 well as violent crimes, including bank robbery.

12 3. This affidavit is in support of an application by the  
13 United States of America for a search warrant on Google, Inc., an  
14 Internet Service Provider with its primary computer information  
15 systems and other electronic communications and storage systems,  
16 records and data located at 1600 Amphitheatre Parkway in Mountain  
17 View, CA, as described further in Attachment A, in reference to  
18 data from MSISDN - 16195171889, IMEI - 354691067444313, IMSI  
19 310410850067863, SN - R38G50KPX8L from a Samsung Galaxy S5, Model  
20 SM-G900A seized from Timothy GRAHAM at the time of his arrest on  
21 November 20, 2015. The United States seeks data that would  
22 constitute evidence of violations of federal criminal law, namely,  
23 Title 18, United States Code, Section 2113, as more fully described  
24 in Attachment B.

25 4. Google collects and retains location data from Android  
26 enabled mobile devices, such as a Samsung Galaxy S5, Model SM-  
27 G900A. The company uses this information for location based  
28 advertising and location based search results. Per Google, this

1 information is derived from Global Position System (GPS) data, cell  
2 site/cell tower information, and Wi-Fi access points. While the  
3 specific parameters of when this data is collected are not entirely  
4 clear, it appears that Google collects this data whenever one of  
5 their services is activated and/or whenever there is an event on  
6 the mobile device such as a phone call, text messages, internet  
7 access, or email access.

8 5. The facts set forth in this affidavit are based on my own  
9 personal knowledge; knowledge obtained from other individuals  
10 during my participation in this investigation, including other law  
11 enforcement officers; interviews of victims; my review of documents  
12 and computer records related to this investigation; communications  
13 with others who have personal knowledge of the events and  
14 circumstances described herein; and information gained through my  
15 training and experience. Because this affidavit is submitted for  
16 the limited purpose of establishing probable cause in support of  
17 the application for a search warrant, it does not set forth each  
18 and every fact that I or others have learned during the course of  
19 this investigation.

20 STATEMENT OF PROBABLE CAUSE

21 6. On Thursday, November 19, 2015, at approximately 11:10  
22 a.m., a male, subsequently identified as TIMOTHY GRAHAM, robbed the  
23 Bank of America, located at 1407 Main Street, Ramona, California.  
24 GRAHAM entered the bank, wrote a note on a deposit slip, approached  
25 the teller window and placed the note on the counter in front of  
26 the victim teller. He then used his right hand to lift the edge of  
27 his shirt and pointed to his right hip. The victim teller saw the  
28 robber had a handgun in his waistband and described it as having a

1 rounded wooden handle. The victim teller then read the note, which  
2 demanded \$10,000. The robber verbally instructed the victim teller  
3 not to activate the alarm. The victim teller gave GRAHAM  
4 \$3,040.10. GRAHAM took the money from the victim teller and walked  
5 towards the front entrance of the bank. GRAHAM took the note with  
6 him when he left the scene of the robbery. The victim teller  
7 described the robber as an older white male, age of approximately  
8 65 years, height of five feet and seven to eight inches, skinny  
9 build weighing 150 to 160 pounds, unshaven, wearing a white  
10 baseball cap, tinted glasses, and a gray striped shirt.

11 7. During the evening of November 19, 2015, after public  
12 broadcasting of the surveillance camera pictures from the scene of  
13 the robbery, both the FBI and the San Diego County Sheriff's Office  
14 (SDSO) received numerous tips from members of the public. Multiple  
15 tips identified the man in the bank robbery surveillance pictures  
16 as GRAHAM, a Ramona, California resident.

17 8. SDSO detectives reviewed photographic line-ups, which  
18 included a photograph of GRAHAM, with the victim teller and another  
19 bank employee, who had observed the robber entering and leaving the  
20 bank. Both individuals identified GRAHAM as the robber, one with  
21 60% certainty and the other with 90% certainty.

22 9. SDSO obtained a search warrant for GRAHAM'S residence and  
23 vehicle. GRAHAM'S residence was located at 515 D Street, Ramona,  
24 California, approximately a mile from the Bank of America. During  
25 the course of the search, a .357 caliber revolver with a rounded  
26 wooden handle was found under GRAHAM'S bed. GRAHAM is not the  
27 registered owner of the revolver. Further, a photograph of GRAHAM  
28 was found in GRAHAM's house in which GRAHAM is wearing a grey

1 striped shirt closely resembling the shirt seen in the Bank of  
2 America surveillance video from the robbery.

3 10. The same Bank of America location was robbed at the same  
4 time and in the same manner on February 11, 2015, although the  
5 suspect did not display a gun during the February robbery. In  
6 February, the teller gave the robber \$3,104. Surveillance images  
7 from that robbery depict a suspect that matches GRAHAM's physical  
8 appearance, though this time the robber was hidden behind a  
9 painter's mask, a ski hat and glasses. On the days immediately  
10 following the February 11, 2015, robbery, there is a series of  
11 unexplained cash deposits totaling \$3,200 into GRAHAM's Chase Bank  
12 checking account.

13 11. Based on the Chase Bank records, it appears GRAHAM took  
14 out one or more online, no-collateral, high-interest loans in 2015.  
15 By the November 19, 2015, robbery, GRAHAM was in a desperate  
16 financial situation.

17 12. When GRAHAM was arrested, he had a Samsung Galaxy S5,  
18 Model SM-G900A cellular telephone in his possession (GRAHAM's  
19 phone), which had active service with AT&T. Pursuant to a warrant,  
20 agents gained the following information by downloading GRAHAM's  
21 phone: MSISDN - 16195171889, IMEI - 354691067444313, IMSI -  
22 310410850067863, SN - R38G50KPX8L.

23 13. Based on my training and experience, and in consultation  
24 with other agents experienced in similar investigations and in GPS  
25 data, cell site/cell tower information and Wi-Fi access points, I  
26 believe it is likely that Google can provide me with GPS data, cell  
27 site/cell tower information and Wi-Fi access points for GRAHAM's  
28 phone. I believe this data will show the movements of GRAHAM's

1 phone and may assist me in identifying GRAHAM's location at the  
2 time of the bank robberies on February 11, 2015, and November 19,  
3 2015, which in turn could be used as evidence of violations of 18  
4 U.S.C. § 2113.

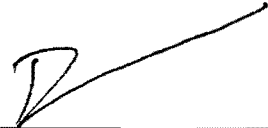
5 PRIOR ATTEMPTS TO OBTAIN THIS EVIDENCE

6 14. The United States has not attempted to obtain this  
7 evidence by other means. NOTE: The United States did apply for,  
8 and obtain, a 2703d order on December 22, 2015. The United States  
9 received results from AT&T, but AT&T only provided cell site  
10 location history. That data places GRAHAM's phone in Ramona, but  
11 does little to pinpoint his location within Ramona. Given that we  
12 are requesting GPS data, cell site/cell tower  
13 triangulation/trilateration, and precision measurement information  
14 such as timing advance or per call measurement data, and Wi-Fi  
15 location, the data sought from Google should provide greater  
16 specificity as to GRAHAM's phone's location.

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CONCLUSION

22. Based on the foregoing, there is probable cause to believe that the items identified in Attachment B have been used in the commission of a crime and constitute evidence, fruits, and instrumentalities of violations of Title 18, United States Code, §§ 924(c) and 2113 and will be found at the premises to be searched as provided in Attachment A.

  
\_\_\_\_\_  
David Coonan  
Special Agent  
Federal Bureau of Investigation

Subscribed and sworn to before me this 8 day of February, 2016.

  
\_\_\_\_\_  
HONORABLE BARBARA L. MAJOR  
UNITED STATES MAGISTRATE JUDGE

ATTACHMENT A

Property To Be Searched

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MSISDN - 16195171889, IMEI - 354691067444313, IMSI -  
310410850067863, SN - R38G50KPX8L from a Samsung Galaxy S5, Model  
SM-G900A located at Google, Inc., 1600 Amphitheatre Parkway in  
Mountain View, CA



ATTACHMENT B

Items To Be Seized

Location History - All location data whether derived from Global Positioning System (GPS) data, cell site/cell tower triangulation/trilateration, and precision measurement information such as timing advance or per call measurement data, and Wi-Fi location. Such data shall include the GPS coordinates and the dates and times of all location recordings from 8 am to 8 pm on February 11, 2015 and 8 am to 8 pm on November 19, 2015.

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