

State of Colorado)
)
County of Boulder)

In the DISTRICT Court, County of Boulder, State of Colorado

Criminal Action Number:

Investigative Case #: 06-2574

SEARCH WARRANT

BEFORE THE HONORABLE:

NO KNOCK: [] Yes [X] No

TO: Detective Mike Wagner, or any officer authorized by law to execute search warrants. Being duly advised that the affiant, Detective Mike Wagner, has this date filed an affidavit for a search warrant in conformity with the provisions of the Colorado Revised Statutes and the Colorado Rules of Criminal Procedure for the following described property, to-wit:

(1) Any computer(s), hard drive(s), removable storage media (optical or magnetic), and any cable, connector or peripheral device required for the operation of any of the aforementioned devices;

and then complete a further search of aforementioned property for:

(2) All electronic data for references and/or information related to: Jay or Judy Hearst, or their social security numbers [REDACTED] 6 or [REDACTED] 0;

Believed to be situated at the place known as: 410 Columbine Avenue in the city and county of Broomfield, state of Colorado, as depicted in "Attachment A"; upon one or more grounds set forth in the Colorado Revised Statutes and the Colorado Rules of Criminal Procedure, namely:

Property or evidence that: (1) has been used as a means of committing a criminal offense, and (2) would be material evidence in a criminal prosecution in this state, another state, or federal court.

Based upon the affidavit of Detective Mike Wagner, which is incorporated by reference herein, I am satisfied that there is probable cause to believe that the property so described is located at the place above described. YOU ARE THEREFORE COMMANDED to search forthwith the place or person described for the property described at any time, and to make return of this warrant to the undersigned Judge within ten days thereof, and to deliver to the person from whom the property is taken or to the premises from which the property is taken, a copy of this warrant together with a receipt for the property taken, or, in lieu thereof, to leave a copy of the warrant and receipt at the place which the property is taken, and to deliver to the undersigned Judge a written inventory of the property taken with the return of this warrant.

Dated this _____ day of _____, 2006, in the County of Boulder, State of Colorado.

JUDGE

COUNTY OF BOULDER)
)
STATE OF COLORADO)

In the DISTRICT Court, Boulder County, Colorado

AFFIDAVIT IN SUPPORT OF A SEARCH WARRANT

COMES NOW before this Honorable Court is your affiant, Detective Mike Wagner, a duly commissioned deputy sheriff employed by the Boulder County Sheriff's Office in the county of Boulder, state of Colorado. Your affiant, being duly sworn, deposes and states the following:

On May 11, 2006, your affiant was assigned Boulder County Sheriff's Office (BCSO) case report number 06-2574 for follow up investigation. Your affiant reviewed the original report authored by Deputy Gregory K. Ranum, a duly commissioned deputy sheriff employed by the Boulder County Sheriff's Office, and learned the following information:

On May 10, 2006, at 9:50 a.m., Deputy Ranum was dispatched to telephone Jay W. Hearst, date of birth [REDACTED], 1931, at his home telephone, (303) 884-7788. Hearst resides at 7695 Watonga Way in the county of Boulder, state of Colorado, and phoned the sheriff's office because he had been getting "weird" phone calls in response to applications for credit using his name.

Hearst told Deputy Ranum that he first became aware of the problem approximately 1½ weeks ago [referring to the date of the report] when he received a notice of books ordered from *Publishers Clearinghouse* under his name. Hearst indicated that he did not order these books and when he telephoned *Publishers Clearinghouse* he learned the account had already been closed, but found that three magazines had been ordered under his name. A short [but undisclosed

amount of] time later Hearst received three books from the *Military Book Club*, which he similarly had not ordered. Hearst similarly called the *Military Book Club* and learned that someone had ordered the books under his name.

On May 10, 2006, Hearst received a call from *Burt Chevrolet Auto Loans* regarding an application for credit made using his name, date of birth, address, and social security number. Hearst informed the loan officer calling that he did not make an application for credit and he was subsequently referred to "Driver Loans" at (646) 442-0166. Hearst contacted "Driver Loans" and spoke with Dan Kirchgesser, unknown date of birth. Kirchgesser told Hearst that the credit application had been made online and had been submitted from IP address 67.175.57.91 on May 10, 2006 at 00:12:50 ET. According to Kirchgesser the person applying for credit under Hearst's name used Hearst's name, date of birth, address and old company info of *Bank Card, Inc.*, which is a company Hearst formerly owned in Boulder, which closed in 1997.

On May 11, 2006, your affiant telephoned Hearst and spoke with him. Your affiant learned that Hearst had received additional calls from creditors related to someone utilizing his identity for credit applications and orders, and he stated that he would provide information regarding these calls once it was compiled.

Your affiant queried the *American Registry for Internet Numbers* database (www.arin.net) for IP address 67.176.57.91. Your affiant found that IP address 67.176.57.91 is assigned to a range of IP addresses held by *Comcast Cable Communications* in Mount Laurel, New Jersey.

On May 15, 2006, your affiant sought and was granted an order commanding *Comcast Cable Communications* to produce records in their actual or constructive control, namely: Any and all records related to the individual or business assigned **IP**

address 67.176.57.91 on May 10, 2006 at 00:12:50 ET, including but not limited to, name and address, date account created, account status, Comcast e-mail address, alternate e-mail address, registration from IP, date ID registered, login IP addresses associated with session times and dates, any MAC/ANI addresses, and any credit card numbers used to pay for *Comcast* service. The court order was granted by the Honorable Daniel C. Hale, a judge of the District Court in the 20th Judicial District in the state of Colorado. Your affiant later served the Court's order upon *Comcast Cable Communications'* legal department via fax.

On May 30, 2006, your affiant returned to work and found a faxed response to the court order from *Comcast Cable Communications*. Upon reviewing the fax, your affiant learned the following information pertaining to the business or individual assigned IP address 67.176.57.91 on May 10, 2006 at 00:12:50 ET:

Subscriber name: Linda Sumrow

Address: 410 Columbine Avenue, Broomfield, Colorado, 80020 [subscriber, service, and billing address]

Telephone number: 303-469-7429

Type of service: Residential high speed Internet service

Account status: Active

IP assignment: Dynamically assigned

Account created: March 26, 2005

Account number: 8497101400080197

E-mail user IDs: lindasumrow

Method of payment: Statement sent to above address

On May 31, 2006, your affiant queried the *Accurint* law enforcement database (www accurint.com) and found that Linda Lee Sumrow, date of birth [REDACTED], 1946 (SSN: [REDACTED] 3) was a current resident of 410 Columbine Avenue in the city and county of Broomfield, state of Colorado, and had been from July 1992 through April 2006 [which is likely when the public record(s) were last updated]. Your affiant

subsequently conducted a background search / history on Sumrow and found that she had no online criminal arrest records.

On May 31, 2006, your affiant drove to 410 Columbine Avenue in the city and county of Broomfield, state of Colorado. Your affiant noted the residence to be a two-story wood framed structure with light colored siding and dark trim. Your affiant obtained several photographs of the front of the residence, which is further depicted in "Attachment A" and is incorporated by reference herein, and noted that the numbers "410" are centered above the garage directly under a decorative vent.

WHEREAS, your affiant believes sufficient probable cause has been demonstrated to believe that the crime of Criminal Impersonation, contrary to *C.R.S. § 18-5-113*, a class six felony; has been committed.

WHEREAS, your affiant believes sufficient probable cause has been demonstrated for this Court to grant a search warrant authorizing your affiant and/or any other duly commissioned peace officer with law enforcement powers in the state of Colorado to search 410 Columbine Avenue in the city and county of Broomfield, state of Colorado (as depicted in "Attachment A") for: any computer(s), hard drive(s), removable storage media (optical or magnetic), and any cable, connector or peripheral device required for the operation of any of the aforementioned devices. Your affiant asserts the property sought were (1) the means of committing a criminal offense; (2) constitute material evidence to be used in a criminal prosecution in this state, another state or federal court; and (3) the Court is authorized to grant such a warrant pursuant to *§ 16-3-301 C.R.S., 1973*.

WHEREAS, your affiant further petitions this Honorable Court for permission to forensically search any of the aforementioned property seized pursuant to this warrant for all electronic data for references and/or information related to: Jay or Judy Hearst, or their social security numbers [REDACTED] 6 or [REDACTED] 0.

WHEREFORE, your affiant requests the Court grant a search warrant at this time.

Sworn under my hand this 1st day of June 2006.

Detective Mike Wagner #539,
AFFIANT

IN WITNESS WHEREOF this 1st day of June 2006 in the city and county of Boulder, state of Colorado.

NOTARY PUBLIC

AFFIDAVIT REVIEWED this _____ day of May 2006.

JUDGE

State of Colorado)
)
County of Boulder)

In the DISTRICT Court, County of Boulder, State of Colorado

Criminal Action Number:

Investigative Case #: 06-2574

SEARCH WARRANT (Addendum)

BEFORE THE HONORABLE:

NO KNOCK: [] Yes [X] No

TO: Detective Mike Wagner, or any officer authorized by law to execute search warrants. Being duly advised that the affiant, Detective Mike Wagner, has this date filed an affidavit for a search warrant in conformity with the provisions of the Colorado Revised Statutes and the Colorado Rules of Criminal Procedure for the following described property, to-wit:

(1) Any computer(s), hard drive(s), removable storage media (optical or magnetic), and any cable, connector or peripheral device required for the operation of any of the aforementioned devices, any network hardware, network software, network configuration, and/or network devices;

and then complete a further search of the aforementioned property for:

(2) All electronic data for references and/or information related to: Jay or Judy Hearst, or their social security numbers [REDACTED] 6 or [REDACTED] 0;

Believed to be situated at the place known as: 410 Columbine Avenue in the city and county of Broomfield, state of Colorado, as depicted in "Attachment A"; upon one or more grounds set forth in the Colorado Revised Statutes and the Colorado Rules of Criminal Procedure, namely:

Property or evidence that: (1) has been used as a means of committing a criminal offense, and (2) would be material evidence in a criminal prosecution in this state, another state, or federal court.

Based upon the affidavit of Detective Mike Wagner, which is incorporated by reference herein, I am satisfied that there is probable cause to believe that the property so described is located at the place above described. YOU ARE THEREFORE COMMANDED to search forthwith the place or person described for the property described at any time, and to make return of this warrant to the undersigned Judge within ten days thereof, and to deliver to the person from whom the property is taken or to the premises from which the property is taken, a copy of this warrant together with a receipt for the property taken, or, in lieu thereof, to leave a copy of the warrant and receipt at the place which the property is taken, and to deliver to the undersigned Judge a written inventory of the property taken with the return of this warrant.

Dated this _____ day of _____, 2006, in the County of Boulder, State of Colorado.

JUDGE

employed by the Boulder County Sheriff's Office, who is a forensic analyst in the High-Tech Crimes Unit of the Boulder County Sheriff's Office. Deputy Andrews became concerned that the search warrant language did not specifically include network hardware, network configuration, network software, and all network devices. Deputy Andrews was concerned that a network may need to be sought and seized as it could either provide incriminating *or* exculpatory evidence against the residents of 410 Columbine Avenue.

WHEREAS, your affiant believes sufficient probable cause has been demonstrated to believe that the crime of Criminal Impersonation, contrary to *C.R.S. § 18-5-113*, a class six felony; has been committed.

WHEREAS, your affiant believes sufficient probable cause has been demonstrated for this Honorable Court to modify the search warrant to reflect, "any computer(s), hard drive(s), removable storage media (optical or magnetic), and any cable, connector or peripheral device required for the operation of any of the aforementioned devices, **any network hardware, network software, network configuration, and/or network devices**, which may be situated at 410 Columbine Avenue in the city and county of Broomfield, state of Colorado. Your affiant maintains that the property sought constitute (1) the means of committing a criminal offense; or (2) constitute material evidence to be used in a criminal prosecution in this state, another state or federal court; and (3) the Court is authorized to grant such a warrant pursuant to *§ 16-3-301 C.R.S., 1973*.

WHEREFORE, your affiant requests the Court modify the original search warrant by addendum at this time.

Sworn under my hand this 8th day of June 2006.

Detective Don Dillard #542,

AFFIANT

IN WITNESS WHEREOF this 8th day of June 2006 in the city and county of
Boulder, state of Colorado.

NOTARY PUBLIC

AFFIDAVIT REVIEWED this _____ day of May 2006.

JUDGE