

LPD Case Number: C3-087160

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF THE SEARCH WARRANT
OF THE DESCRIBED PREMISES OF
2772 DONALD DOUGLAS LOOP NORTH
SANTA MONICA, LOS ANGELES COUNTY, CALIFORNIA 90405

CR24-1

SEARCH WARRANT RETURN

STATE OF NEBRASKA)
)
) ss.
COUNTY OF LANCASTER)

The undersigned states that he received the Search Warrant issued herein on the 9th day of January, 2024, and that he executed the same on the 24th day of January, 2024, by seizing the property described in the Inventory filed herein and by delivering a copy of the Search Warrant for the said property at the place from which the property is taken.

[Signature] #1700

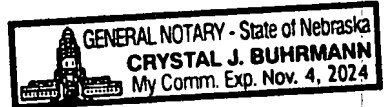
Joseph Villamonte #1700

SUBSCRIBED to in my presence and sworn to before me this 24th day of January, 2024.

[Signature]

Notary Public

LANCASTER COUNTY
2024 JAN 25 PM 2:46
CLERK OF THE
DISTRICT COURT



[Handwritten mark]

INVENTORY

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF THE SEARCH WARRANT OF THE DESCRIBED PREMISES OF 2772 DONALD DOUGLAS LOOP NORTH SANTA MONICA, LOS ANGELES COUNTY, CALIFORNIA 90405

STATE OF NEBRASKA))) COUNTY OF LANCASTER)

ss.

INVENTORY OF PROPERTY SEIZED BY VIRTUE OF THE SEARCH WARRANT ISSUED HEREIN

Joseph Villamonte, being first duly sworn on oath, deposes and says the following is an inventory of the property seized by virtue of the Search Warrant issued herein:

The undersigned hereby acknowledges receipt of the following described property seized from Snapchat, Inc. Custodian of Records, 2772 Donald Douglas Loop North, Santa Monica, Los Angeles County, California 90405:

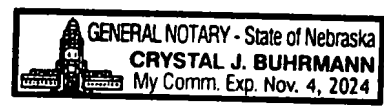
- Production-247580285-2024011918-388265a9.zip

Inventory made in the presence of Dustin Lind.

[Signature] #1700 Joseph Villamonte #1700

SUBSCRIBED to in my presence and sworn to before me this 25th day of January, 2024.

[Signature] Notary Public

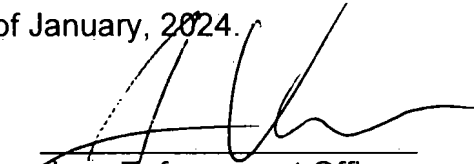


RECEIPT

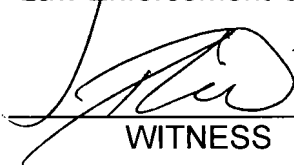
The undersigned hereby acknowledges receipt of the following described property seized from Snapchat, Inc. Custodian of Records, 2772 Donald Douglas Loop North, Santa Monica, California 90405 :

- Production-247580285-2024011918-388265a9.zip

DATED this 24th day of January, 2024.



Law Enforcement Officer #1700



WITNESS #1658

LANCASTER COUNTY
2024 JAN 25 PM 2:46
CLERK OF THE
DISTRICT COURT

IN THE COUNTY OF LANCASTER COUNTY, NEBRASKA

STATE OF NEBRASKA)
)ss. SEARCH WARRANT
COUNTY OF LANCASTER)

TO: Joseph Villamonte, a Investigator with the Lincoln Police Department, Lincoln, Lancaster County, Nebraska, and any and all law enforcement officers.

WHEREAS, Joseph Villamonte, has filed an Affidavit before the undersigned Judge of the County Court of Lancaster County, Nebraska, a copy of which affidavit is attached hereto and made a part hereof; the court finds that the facts set forth in said Affidavit are true, and that those facts do constitute grounds and probable cause for the issuance of a Search Warrant.

Pursuant to Neb. Rev. Stat. 86-2,105 to 86-2,108, Applicant has articulated sufficient concern based on the interests of protecting this investigation and the jeopardy posed to this investigation should this Order or facts related to this investigation be disclosed.

Therefore the Court finds that the records which are the subject of this search warrant are material and relevant to a legitimate law enforcement ongoing investigation. Snap Inc. is ordered NOT to notify any other person of the existence of this search warrant, including the user of the account, or release any information related to this search warrant, as there is reason to believe that notification or other disclosure would impede this ongoing investigation or otherwise cause an adverse result, as defined by law. This disclosure restriction shall be for a period not to exceed 90 days.

THEREFORE, you are commanded to search Snap Inc., 2772 Donald Douglas Loop North, Santa Monica, CA 90405 for the following information associated with the Snapchat user ID "jiggsimba" for the time frame of 07-24-2023 to 10-03-2023 with preserved data associated to Snapchat case number "3f01d41742".

Contact information showing names, telephone numbers, addresses, or any other personal information relating to contacts stored within the Snapchat Account/ Snapchat Messenger, as well as similar data that has been deleted from the Snapchat Account but may still be extracted from the Snapchat servers;

Records reflecting outgoing, incoming, and missed calls/messages showing Snapchat video/voice/text communications, as well as similar data that has been

deleted from the Snapchat Account but may still be extracted from the Snapchat servers;

Incoming, outgoing, and “draft” messages, picture messages, video messages, and incoming and outgoing e-mails detailing Snapchat Account data communications, as well as similar data that has been deleted from the Snapchat Account but may still be extracted from the Snapchat server;

Still photographs, video clips, and audio clips from Snapchat or Snapchat Messenger, as well as similar data that has been deleted from Snapchat or Snapchat Messenger but may still be extracted from the Snapchat server;

All information held by Snap, Inc. to include, but is not limited to, Basic Subscriber Information collected when a user creates a new Snapchat account, alters information at a later date, or otherwise interacts with the Service, Basic subscriber information that may include Snapchat username, Email address, Phone number, Snapchat user vanity name, Snapchat account creation date and IP address, Timestamp and IP address of account logins and logouts and any Logs of Previous Snaps, Stories, and Chats Snapchat for Snaps, Story content, and Memories content, the IP address when the account was established, associated user name(s), associated e-mail address(es), verification telephone number(s), device identification numbers such as Unique Device Identification (UDID), International Mobile Equipment Identifier (IMEI), Mobile Equipment Identifier (MEID), Google Play Store and/or Apple App Store account information and all other account information that may be associated with this account after it has been identified.

Evidence of who used, owned, or controlled the Snapchat Account at the time the things described in this warrant were created, edited, or deleted, to include account numbers, account login names/identities, and passwords associated with the Snapchat Account

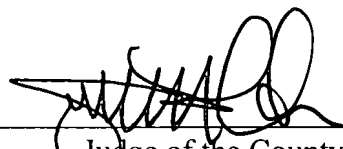
Waypoints saved GPS locations, or any electronic information stored on the Snapchat Account that may relate to recent trips or points of interest.

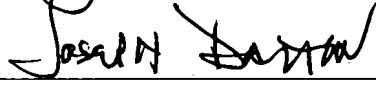
Any other items that are contraband and are fruits of, have been used in the commission of, or may constitute evidence of this crime;

This search warrant shall be executed and returned to a Judge of the County Court of Lancaster County, Nebraska. It may not be possible to complete a return to the Court within the 10 days normally required by the court.

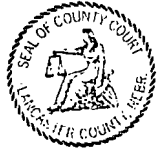
Given under my hand and seal this 9 day of January, 2024.





Judge of the County Court


Printed Name of Judge



IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

STATE OF NEBRASKA)
) ss. AFFIDAVIT FOR SEARCH WARRANT
COUNTY OF LANCASTER)

Joseph Villamonte, being first duly sworn upon oath deposes and states that Joseph Villamonte is a Investigator for the Lincoln Police Department, Lancaster County, Nebraska. AFFIANT states he is currently involved in the investigation of MANU/DELV/POSS CONTR SUBST W/INTENT TO DELVR – 28 416(1)(A) and POSS FIREARM WITH FEL 2 DRUG VIOLATION - 28-416(16), which occurred in the State of Nebraska. AFFIANT has reviewed case reports regarding this investigation prepared by other involved Lincoln Police Officers.

Facts:

Beginning in July 2023, Lincoln Police Investigator Villamonte, your Affiant, began to monitor the known Snapchat account for Izayah M. Whittington (DOB 02-24-2003). Your Affiant was able to verify the account by observing Whittington in selfie style videos and photographs posted to the account. Your Affiant observed Whittington post advertisements to the account of controlled substances he was selling. Your Affiant observed the account name to be 'jiggsimba'. The following are social media posts your Affiant observed while conducting surveillance on the account:

On 07-25-2023, your Affiant observed Whittington post a photograph to his known Snapchat account with the caption of 'tap me going out town' with a tree, candy, and cell phone emoji's. Your Affiant knows through extensive investigations involving narcotics and social media that 'tap me' is referring to people viewing the post to contact Whittington for the purchase of 'tree' or marijuana.

On 07-26-2023, your Affiant observed Whittington post a photograph to his known Snapchat account of marijuana. Your Affiant knows through investigative experience that Snapchat users selling controlled substances will frequently post videos and photographs of the controlled substances they have for sale for people viewing the post.

On 08-21-2023, your Affiant observed Whittington post a photograph to his known Snapchat account with the caption of '2g baked bars, gummy, Ed's, exotic blow, Dispo, edible, trees, and a phone emoji. Your Affiant also observed there to be a picture of Whittington on the posts with the caption of 'shop open'. Your Affiant knows through extensive narcotic investigative experience that 'tree' and 'exotic blow' refers to marijuana and 'gummy and ed's' refers to THC edible products. Your Affiant knows that 'Shop open' refers to Whittington's supply of narcotics being available to persons viewing his Snapchat posting.

On 08-22-2023, your Affiant observed Whittington post a photograph to his known Snapchat account with the caption of '1000mg edibles 25 a pop'.

On 08-31-2023, Whittington was contacted on a traffic stop by Nebraska State Patrol Trooper Schwarz driving his white 2014 Kia Forte with Nebraska license plates 'YYV711' in the area of Northwest 23rd and West Q Street. At the conclusion of the stop, Whittington was cited and released for possession of marijuana, lezz than 1 ounce.

On 09-11-2023, your Affiant observed Whittington post a photograph to his known Snapchat account of numerous THC vape cartridges for sale. Your Affiant observed an additional post on this date with the caption of 'dispo, edib', and a tree and cake emoji. Whittington created an additional post of marijuana he was advertising. Your Affiant then observed Whittington to share a video of the THC cartridge flavors he was advertising and the box claimed 'five one gram vape bars' and the product containing 'premium cannabis oil, plant derived terpenes' and was made in Lake Lab, California.

On 09-15-2023, your Affiant observed Whittington post a photograph to his known Snapchat account with the caption of 'cakes, loud, edible' and a cart and candy emoji. Your Affiant knows that 'cakes, loud, edible' is referring to flavors of THC cartridges, marijuana, and THC edibles. Your Affiant knows that the cart and candy emoji's are directly referencing the THC cartridges and THC edibles.

On 09-25-2023, Whittington contacted the Lincoln Police Department to make a possible theft report. Whittington he believed he dropped \$2500 in United States currency in the hallway to his apartment building at 2200 W Q Street. Whittington also confirmed he lived in apartment #8. The incident is documented under Lincoln Police Department case C3-086245.

On 09-27-2023, your Affiant observed Whittington post a photograph to his known Snapchat account with the caption of 'pack-man 2G' with a cart and a telephone emoji.

On 10-02-2023, your Affiant observed Whittington post a photograph to his known Snapchat account with a cell phone emoji, carts emoji, and a tree emoji. Your Affiant knows through investigative experience that Whittington is asking viewers to contact him via cell phone to buy THC cartridges and marijuana from him.

On 10-03-2023, a residential search warrant was served at Whittington's known residence at 2200 West Q Street #8. Investigators located several large empty bags containing marijuana residue, a digital scale, packaging for marijuana sales, THC cartridges, notes indicating weights of products and profit margin, \$748 in various denominations, and a Glock 48 9mm handgun loaded with 8 rounds including one in the chamber within the living room and master bedroom of the apartment. Investigators know that all of these items are commonly possessed by persons involved in the sale of controlled substances with the firearm being possessed to protect profits from the sales and the product being sold. Whittington was cited and lodged at the Lancaster County Jail for various felony offenses.

A Preservation Request was served on 10-03-2023 via email to Snapchat, Inc. Snapchat responded with a confirmation email and assigned the preserved data with Snapchat case number **3f01d41742**. Snapchat will preserve the data for a period of 90 days and will extend the preservation upon request.

Your AFFIANT also knows through his own experiences and those of other Law Enforcement Officers that Snap, Inc. owns and operates a free-access social networking, electronic commerce, and cloud services application(s) of the same name that can be accessed using the Snapchat mobile application(s).

Snapchat allows its users to establish accounts with Snapchat, and users can then use their accounts to post “Snaps”, “Stories”, “Memories”, and send and receive “Chats”.

“Snaps” are when a user takes a photo or video using their camera phone in real-time and then selects which of their friends to send the message to. Unless the sender or recipient opts to save the photo or video, the message will be deleted from their devices (after the content is sent in the case of the sender and after it’s opened in the case of the recipient). Users are able to save a photo or video they’ve taken locally to their device or to Memories, which is Snapchat’s cloud-storage service.

“Stories” are when a user adds photo or video Snaps to their “Story.” Depending on the user’s privacy settings, the photos and videos added to a Story can be viewed by either all “Snapchatters” or just the user’s friends for up to 24 hours. Stories can also be saved in “Memories”.

“Memories” is Snapchat’s cloud-storage service. Users can save their sent or unsent Snaps, posted Stories, and photos and videos from their phone’s photo gallery in Memories. A user can also edit and send Snaps and create Stories from these Memories. Snaps, Stories, and other photos and videos saved in Memories are backed up by us and may remain in Memories until deleted by the user.

Using “Chat” a user can type messages, send photos, videos, audio notes, and video notes to friends within the Snapchat app using the Chat feature. A user sends a Chat message to a friend, and once it is viewed by both parties – and both parties swipe away from the Chat screen – the message will be cleared. Within the Snapchat app itself, a user can opt to save part of the Chat by tapping on the message that they want to keep. The user can clear the message by tapping it again.

Your AFFIANT is aware through research, documentation, prior training and experience, and/or the experience of other investigators that Snapchat collects and stores personally identifying information on their users. This information consists of user supplied information that can be used to identify the user and/or account creator of a Snapchat account.

This information may include, but is not limited to Basic Subscriber Information collected when a user creates a new Snapchat account, alters information at a later date, or otherwise interacts with the Service, Basic subscriber information may include: Snapchat username, Email address, Phone number, Snapchat user vanity name, Snapchat account creation date and IP address, Timestamp and IP address of account logins and logouts.

This information may also include Logs of Previous Snaps, Stories, and Chats Snapchat retains logs for the last 31 days of Snaps sent and received, for 24 hours of posted Stories, and for any unopened Chats or those saved by a sender or recipient. The logs may contain meta-data about the Snaps, Stories, and Chats, but not the content. Your AFFIANT knows in certain limited circumstances it may be possible for us to retrieve the content of sent Snaps. Story content may be available for up to 24 hours, or until deleted by a user. Your AFFIANT knows Memories content may be available until deleted by a user.

The records which are the subject of this search warrant are material and relevant to a legitimate law enforcement ongoing investigation. Pursuant to Nebraska Revised Statute(s) 86-2,105 to 86-2,108, affiant requests that Snap Inc. shall be ordered NOT to notify any other person of the existence of this search warrant, including the user of the account, or release any information related to this search warrant, as there is reason to believe that notification or other disclosure would impede this ongoing investigation or otherwise cause an adverse result, as defined by law. Specifically, disclosure would likely result in flight from prosecution, a negative or harmful modification of activities or the activities of those with whom the subject of the investigation communicates and/or associates, the destruction or tampering with evidence; or would otherwise seriously jeopardize the investigation.

The above does constitute grounds of probable cause for the issuance of a search warrant to search Snap Inc., 2772 Donald Douglas Loop North, Santa Monica, CA 90405 for the following information associated with the Snapchat user ID **“jiggsimba”** for the time frame of **07-24-2023 to 10-03-2023** with preserved data associated to Snapchat case number **3f01d41742**.

Contact information showing names, telephone numbers, addresses, or any other personal information relating to contacts stored within the Snapchat Account/ Snapchat Messenger, as well as similar data that has been deleted from the Snapchat Account but may still be extracted from the Snapchat servers;

Records reflecting outgoing, incoming, and missed calls/messages showing Snapchat video/voice/text communications, as well as similar data that has been deleted from the Snapchat Account but may still be extracted from the Snapchat servers;

Incoming, outgoing, and “draft” messages, picture messages, video messages, and incoming and outgoing e-mails detailing Snapchat Account data communications, as well as similar data that has been deleted from the Snapchat Account but may still be extracted from the Snapchat server;

Still photographs, video clips, and audio clips from Snapchat or Snapchat Messenger, as well as similar data that has been deleted from Snapchat or Snapchat Messenger but may still be extracted from the Snapchat server;

All information held by Snap, Inc. to include, but is not limited to, Basic Subscriber Information collected when a user creates a new Snapchat account, alters information at a later date, or otherwise interacts with the Service, Basic subscriber information that may include Snapchat username, Email address, Phone number, Snapchat user vanity name, Snapchat account creation date and IP address, Timestamp and IP address of account logins and logouts and any Logs of Previous Snaps, Stories, and Chats Snapchat for Snaps, Story content, and Memories content, the IP address when the account was established, associated user name(s), associated e-mail address(es), verification telephone number(s), device identification numbers such as Unique Device Identification (UDID), International Mobile Equipment Identifier (IMEI), Mobile Equipment Identifier (MEID), Google Play Store and/or Apple App Store account information and all other account information that may be associated with this account after it has been identified.

Evidence of who used, owned, or controlled the Snapchat Account at the time the things described in this warrant were created, edited, or deleted, to include account numbers, account login names/identities, and passwords associated with the Snapchat Account

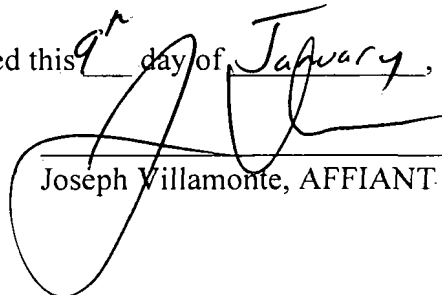
Waypoints saved GPS locations, or any electronic information stored on the Snapchat Account that may relate to recent trips or points of interest.

Any other items that are contraband and are fruits of, have been used in the commission of, or may constitute evidence of this crime;

Your AFFIANT would like to advise the Court that it may not be possible to complete a return to the Court within the 10 days normally required by the Courts. Snap Inc. will respond to the warrant as soon as possible, according to their legal compliance guide.

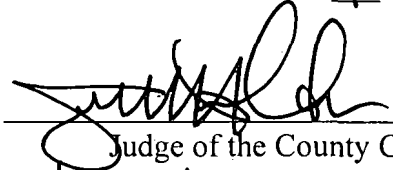
Further AFFIANT saith not;

Dated this 9th day of January, 2024.


Joseph Villamonte, AFFIANT



SUBSCRIBED to in my presence and sworn to before me this 9 day of January, 2024.



Judge of the County Court

Joseph Santos

Printed Name of Judge