

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

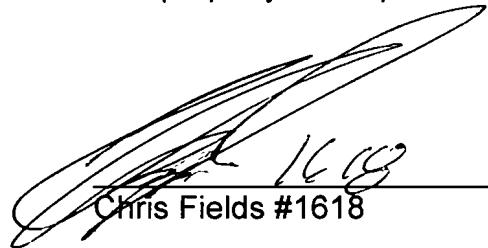
CR24-1

IN THE MATTER OF THE SEARCH WARRANT
OF THE DESCRIBED PREMISES OF
GOOGLE INC
MOUNTAIN VIEW, CA

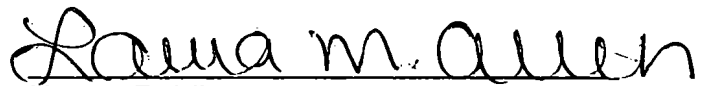
SEARCH WARRANT RETURN

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

The undersigned states that he received the Search Warrant issued herein on the 20th day of November, 2023, and that he executed the same on the 27th day of November, 2023, 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.


Chris Fields #1618

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


Notary Public

LANCASTER COUNTY
2024 JAN -9 PM 3:56
CLERK OF THE
DISTRICT COURT



002162694D02

5

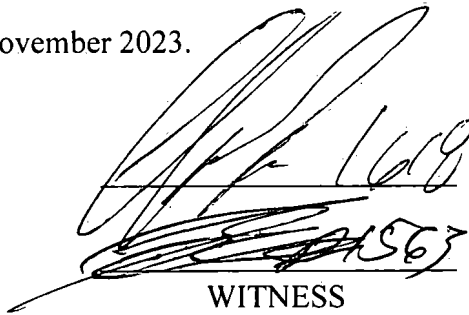
RECEIPT

The undersigned hereby acknowledges receipt of the following described property seized from Google Inc:

- 1 zip archive file
- 2 PDF Documents

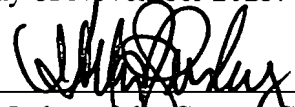
LANCASTER COUNTY
2024 JAN -9 PM 3: 56
CLERK OF THE
DISTRICT COURT

DATED this 27 day of November 2023.

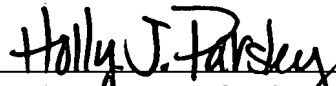


WITNESS

Given under my hand and seal this 20th day of November 2023.



Judge of the County Court



Printed Name of Judge



ATTACHMENT A

Property To Be Searched

This warrant is directed to Google Inc. – Google Legal Investigations Support, 1600 Amphitheatre Parkway, Mountain View, CA 94043.

Service via (Google Inc.) Googles Law Enforcement Request System Account (LERS) Web Portal lers.google.com. Service may be via email at USLawEnforcement@google.com.

ATTACHMENT B

Items To Be Seized And Searched

This warrant is directed to Google, LLC, headquartered at 1600 Amphitheatre Parkway, Mountain View, California, and applies to:

Records pertaining to:

Identifying information according to the “**Production Protocol**” described below for Google accounts that reported a GPS, cellular, WiFi or Bluetooth sourced location history data generated from devices that reported a location within the geographic region bounded by the following coordinates dates and times (“**Initial Search Parameters**”):

Search 1:

Timeframe of the Google request:
Is listed below with each target location.

Target Locations:

With a geographic area identified as a polygon defined by the following latitude and longitude coordinates connected by straight lines:

Location 1:

Point 1: 40.818314, -96.656535.

Point 2: 40.817916, -96.658074.

Point 3: 40.817023, -96.656170.

Point 4: 40.816600, -96.657950.

The area is further described as the immediate area around 501 N. 46th Street Lincoln, Lancaster County, Nebraska, for the time frame of 0130 hours to 0200 hours on November 17, 2023.

Location 2:

Point 1: 40.789290, -96.651394.

Point 2: 40.789261, -96.653563.

Point 3: 40.789148, -96.653571.

Point 4: 40.789143, -96.651369.

The area is further described as the immediate area around 2245 S. 49th Street Lincoln, Lancaster County, Nebraska, for the time frame of 0000 hours on November 17, 2023, to 0135 hours on November 17, 2023.

Location 3:

Point 1: 42.108004, -96.706961.

Point 2: 42.107996, -96.708498.

Point 3: 42.108740, -96.708494.

Point 4: 42.108747, -96.706967.

The area is further described as the immediate area around 610 4th Street Pender, Thurston County, Nebraska, for the time frame of 0630 hours to 0700 hours on November 16, 2023.

Location 4:

Point 1: 42.116150, -96.707184.

Point 2: 42.115625, -96.707174.

Point 3: 42.115649, -96.705833.

Point 4: 42.116154, -96.705859.

The area is further described as the immediate area around 214 N. 3rd Street Pender, Thurston County, Nebraska, for the time frame of 0600 hours to 0640 hours on November 16, 2023.

Location 5:

Point 1: 40.381418, -95.838871.

Point 2: 40.380425, -95.838879.

Point 3: 40.380422, -95.837940.

Point 4: 40.381405, -95.837871.

The area is further described as the immediate area around 2301 Dahlke Avenue Auburn, Nemaha County, Nebraska, for the time frame of 0430 hours to 0500 hours on November 12, 2023.

Location 6:

Point 1: 40.394955, -95.834774.

Point 2: 40.394418, -95.834774.

Point 3: 40.394408, -95.833323.

Point 4: 40.394960, -95.833315.

The area is further described as the immediate area around 607 10th Street Auburn, Nemaha County, Nebraska, for the time frame of 0430 hours to 0500 hours on November 12, 2023.

Location 7:

Point 1: 40.662403, -95.859348.

Point 2: 40.661919, -95.859334.

Point 3: 40.661924, -95.858369.

Point 4: 40.662419, -95.858384.

The area is further described as the immediate area around 1651 S. 11th Street Nebraska City, Otoe County, Nebraska, for the time frame of 0000 hours to 0030 hours on November 12, 2023.

Production Protocol:

1. Google shall query location history data based on the Initial Search Parameters (as described above).
2. For each location point recorded within the Initial Search Parameters, Google shall produce anonymized information specifying the corresponding unique Reverse Location Obfuscated IDs/Device IDs of all location data, whether derived from Global Positioning System (GPS) data, cell site/cell tower triangulation/trilateration, Bluetooth beacons, precision measurement information such as timing advance or per call measurement data, and Wi-Fi location, including the GPS coordinates, estimated radius, and the dates and times of all location recordings (with captured time zone), data source and device type (platform), during the date and time period associated with specific device IDs; (the "Anonymized List").
3. When two or more target locations are identified in the Initial Search Parameters, Google shall ensure the exact same Reverse Location Obfuscated ID/Device ID alphanumeric identifier is used between the two or more locations. This will ensure investigators can cross-reference the multiple locations in order to determine if the exact same Reverse Location Obfuscated IDs/Device IDs are present at the two or more locations.

4. Law enforcement shall review the Anonymized List to remove Reverse Location Obfuscated IDs/Device IDs that are not relevant to the investigation, for example, device's that were not in the location for a relevant period of time, or device's that remained at the location after law enforcement arrival. Law enforcement will also shortlist the Anonymized List by reviewing the time stamped location coordinates for each device and compare that against the known time and location information that is specific to this crime. Law enforcement will also compare the Anonymized List for each location and attempt to locate devices located at two or more identified locations.
5. For those device IDs identified as relevant pursuant to the process described above, law enforcement may request that Google Provide identifying information, as defined in 18 U.S.C. § 2703(c)(2), and Neb. Rev. Stat. sec 86-2,106 for the Google Account associated with each identified device ID.

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

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

Jon Rennerfeldt, being first duly sworn upon oath deposes and states that he is in an Investigator for the Lincoln Police Department, Lancaster County, Nebraska. AFFIANT states he is currently involved in the investigation of Felony Theft by Unlawful Taking Violation of Nebraska State Statue 28-511, occurring on November 17, 2023, at 501 N. 46th Street, Lincoln, Lancaster County, Nebraska. AFFIANT has reviewed case reports regarding this investigation prepared by other involved Lincoln Police Officers.

Affiant's Background

Affiant has been a police officer for the Lincoln Police Department since January 26, 2006. Since January 26, 2006, Affiant has been investigating misdemeanor and felony crimes with the Lincoln Police Department to include homicide, burglary, robbery, assault, weapon offences, narcotics, sexual assault, human trafficking, child enticement, and pornography. Affiant has training and experience in conducting criminal investigations.

This affidavit is submitted in support of a search warrant. Since this affidavit is being submitted for the limited purpose of securing a search warrant, I have not set forth every fact known to me regarding this investigation. The statements contained in this affidavit are based in part on the investigation that I have conducted, and information provided to me by other law enforcement officers verbally, and through written reports.

Case Facts

On November 17, 2023, at approximately 0140 hours, Officers with the Lincoln Police Department were dispatched to a report of a white pickup with 2-3 people in the lot that appeared to be throwing a chain around the ATM and attempting to pull it off the stand on the west side of the Liberty First Credit Union located at 501 N. 46th Street Lincoln, Lancaster County, Nebraska. Officers arrived at 0142 hours and found the ATM had been ripped from the base and the contents of the ATM appeared to be missing. Further investigation revealed the suspects used a stolen pickup, taken from the area of South 49th Street and Glade Street Lincoln, Lancaster County, Nebraska, between 1700 hours on November 16, 2023, and 0137 hours on November 17, 2023. The suspects then fled the

area of the ATM theft on foot, running in a Northwesterly direction, leaving the stolen pickup behind. Surveillance video was received from Liberty First Credit Union employees, and it showed the suspect arrived at 0137 hours and left at 0142 hours, approximately 40 seconds before officers arrived. The suspects were not located and are unknown at this time.

Follow up investigation also revealed a similar ATM theft case in Pender, Thurston County, Nebraska. On November 16, 2023, at approximately 0615 hours, two suspects stole a truck from 214 N. 3rd Street Pender, Thurston County, Nebraska, then drove to the Charter West Bank located at 610 4th Street Pender, Thurston County, Nebraska, where they pulled the ATM from the base during their attempt to enter the vault and cash drawers at approximately 0639 hours. Entry was not made, and they were not able to obtain any cash. They fled the area in a smaller SUV.

A separate case was also found to have occurred at the Auburn State Bank located at 2301 Dahlke Avenue Auburn, Nemaha County, Nebraska on November 12, 2023, at approximately 0438 hours. In that case, two suspects with a similar description stole a truck from a car lot located at 1651 S. 11th Street Nebraska City, Otoe County, Nebraska, at approximately 0015 hours on November 12, 2023. The suspects then drove to the Auburn State Bank where they pulled the ATM from the base during their attempt to enter the vault and cash drawers at approximately 0438 hours. Entry was made, and they were able to obtain cash from the ATM. They fled the area in the stolen truck and later dumped the truck at 607 10th Street Auburn, Nemaha County, Nebraska, and were picked up by an unknown person in a small, silver or grey SUV.

The State of Nebraska, by and through its undersigned affiant, respectfully submits this ex parte application for a Search Warrant pursuant to Neb. Rev. Stat. sec 29-812 to 29-817 and Neb. Rev. Stat. sec 86-2, 106 and 18 U.S.C. § 2703(d) to require Google LLC, Electronic Communication Service Providers, which function as electronic communication service providers and/or a remote computing service, to provide records and other information of wire or electronic communications pertaining to data held by Google LLC's servers, and with a geographic area identified as a polygon defined by the following latitude and longitude coordinates connected by straight lines:

Location 1:

Point 1: 40.818314, -96.656535.

Point 2: 40.817916, -96.658074.

Point 3: 40.817023, -96.656170.

Point 4: 40.816600, -96.657950.

The area is further described as the immediate area around 501 N. 46th Street Lincoln, Lancaster County, Nebraska, for the time frame of 0130 hours to 0200 hours on November 17, 2023.

Location 2:

Point 1: 40.789290, -96.651394.

Point 2: 40.789261, -96.653563.

Point 3: 40.789148, -96.653571.

Point 4: 40.789143, -96.651369.

The area is further described as the immediate area around 2245 S. 49th Street Lincoln, Lancaster County, Nebraska, for the time frame of 0000 hours on November 17, 2023, to 0135 hours on November 17, 2023.

Location 3:

Point 1: 42.108004, -96.706961.

Point 2: 42.107996, -96.708498.

Point 3: 42.108740, -96.708494.

Point 4: 42.108747, -96.706967.

The area is further described as the immediate area around 610 4th Street Pender, Thurston County, Nebraska, for the time frame of 0630 hours to 0700 hours on November 16, 2023.

Location 4:

Point 1: 42.116150, -96.707184.

Point 2: 42.115625, -96.707174.

Point 3: 42.115649, -96.705833.

Point 4: 42.116154, -96.705859.

The area is further described as the immediate area around 214 N. 3rd Street Pender, Thurston County, Nebraska, for the time frame of 0600 hours to 0640 hours on November 16, 2023.

Location 5:

Point 1: 40.381418, -95.838871.

Point 2: 40.380425, -95.838879.

Point 3: 40.380422, -95.837940.

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The area is further described as the immediate area around 2301 Dahlke Avenue Auburn, Nemaha County, Nebraska, for the time frame of 0430 hours to 0500 hours on November 12, 2023.

Location 6:

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Point 2: 40.394418, -95.834774.

Point 3: 40.394408, -95.833323.

Point 4: 40.394960, -95.833315.

The area is further described as the immediate area around 607 10th Street Auburn, Nemaha County, Nebraska, for the time frame of 0430 hours to 0500 hours on November 12, 2023.

Location 7:

Point 1: 40.662403, -95.859348.

Point 2: 40.661919, -95.859334.

Point 3: 40.661924, -95.858369.

Point 4: 40.662419, -95.858384.

The area is further described as the immediate area around 1651 S. 11th Street Nebraska City, Otoe County, Nebraska, for the time frame of 0000 hours to 0030 hours on November 12, 2023.

Google Location Data

Based on my training and experience, Affiant knows most people in today's society possess cellular phones and other connected devices (e.g. tablets, watches, laptops) used to communicate electronically. Affiant knows these devices are capable of sending and receiving communications in many different forms. Affiant knows most people carry cellular phones on their person and will carry them whenever they leave their place of residence. Affiant knows that cellular phones may include global positioning systems (GPS) and other technology for determining the location of the device.

Affiant knows a subject's physical cellular phone often times does not retain all the data relevant to a specific crime. Portions of this data may only be on the Electronic Communications Service Provider's server located in the subscriber's account. Google services are often interconnected with a log-in to a Google account allowing access to many of the other Google services.

Google is also a company which provides electronic communication services to subscribers, including email services. Google allows subscribers to obtain email accounts at the domain name gmail.com and/or google.com. Subscribers obtain an account by registering with Google. A subscriber using the provider's services can access his or her email account from any computer or smart phone/device connected to the Internet.

Google has developed an operating system for mobile devices, including cellular phones, watches and tablets known as Android, that has a proprietary operating system. Nearly every cellular phone using the Android operating system has an associated Google account, and users are prompted to add a Google account when they first activate a new Android device.

Affiant knows nearly every Android powered device has an associated Google account. I also know that Apple iPhone's supports several Google applications, such as Google Search, Gmail, Google Maps, and Google Drive, all of which require a Google account. Affiant also knows Google continuously tracks devices with an associated Google account.

Based on my training, experience and conversations your Affiant has had with other law enforcement officers and/or from reviewing documentation. Affiant knows that Google collects and retains location data on their servers (also known as the "Sensorvault" database) from Android enabled mobile devices, as well as devices supporting Google applications such as Google Search, Gmail, Google Maps, and Google Drive, so long as the location services of the phone are enabled. The location data gathered is stored forever, unless it is deleted by the user. The company uses this information for location-based advertising and location-based search results. Per Google, this information is derived from Global Position System (GPS) data, cell site/cell tower information, Bluetooth beacons, and Wi-Fi access points. While the specific parameters of when this data is collected are not entirely clear, it appears that Google collects this data not only whenever one of their services is activated and/or whenever there is an event on the mobile device such as a phone call, text messages, internet access, or email access, but also when the user is not interacting with the device (e.g. applications running in the background).

Additionally, location information digitally integrated into images, videos, or other computer files sent via the cellular phone can further indicate the geographic location of the account's user at a particular time. Digital cameras, including cameras built into a cellular phone, frequently store GPS coordinates in the metadata of image files, indicating where a photo was taken. These image files may be stored in the account user's Google cloud storage.

Based on my training and experience, Affiant knows when a user activates a Google Account, Google will request an associated phone number for the user, to assist in password recovery if a password is forgotten or for security purposes.

Given that almost all cellular phones and connected devices are either supported by Google or support Google software and most people in today's society carry a cellular phone or other connected device on their person at nearly all times, Affiant believes it is likely the suspect(s) involved in this criminal investigation were in possession of at least one cellular phone/device, which was either powered by Android OS or had a cellular phone with a Google application.

Based on my training and experience, suspects involved in criminal activity will typically use cellular phones to communicate when multiple suspects are involved. I am also aware Android based cellular phones report detailed location information to Google, where the geo-location and electronic data is then stored on their servers.

The timeframe of the Google request is listed above with the corresponding locations will allow investigators to see which Google device IDs were present in the geographic area prior to, during, and after the crime. The information provided by the extended timeframe and times when entering and exiting the geographical area will allow investigators to determine which Reverse Location Obfuscated IDs/Device IDs require further investigation and which ones do not. The initial Reverse Location Obfuscated IDs/Device IDs provided by Google do not include any subscriber information and is provided in an anonymized list.

Affiant believes the information provided by Google will assist investigators in understanding a bigger geographic picture and timeline, which may tend to identify potential witnesses, as well as possibly inculcate or exculpate the account owners. Affiant therefore believed that it is likely that a review of Google's location history will help law enforcement in developing suspect(s) in the crime being investigated and provide possible witnesses information to the crime.

As such, Affiant is requesting a list of any Google anonymized Reverse Location Obfuscated IDs/Device IDs in a geographic area around the 501 N. 46th Street Lincoln, Lancaster County, Nebraska and 2245 S. 49th Street Lincoln, Lancaster County, Nebraska; 610 4th Street Pender, Thurston County, Nebraska and 214 N. 3rd Street Pender, Thurston County, Nebraska; 2301 Dahlke Avenue Auburn, Nemaha County, Nebraska, 607 10th Street Auburn, Nemaha County, Nebraska, and 1651 S. 11th Street Nebraska City, Otoe County, Nebraska, in particular, the geographical region(s) identified in Attachment B and the date(s) and time(s) specified. This Application seeks authority to collect certain location information related to Google Reverse Location Obfuscated IDs/Device IDs that were located within the Target Location(s) during the Date and Time Period (Anonymized List).

The information sought from Google regarding the Anonymized List will potentially identify which cellular phones/devices were near the location where the crime occurred and may assist law enforcement in determining which persons were present or involved in the crime under investigation.

Law enforcement shall review the Anonymized List to remove Reverse Location Obfuscated IDs/Device IDs that are not relevant to the investigation, such as devices that were not in the location for a sufficient period of time. If additional location information for a given Reverse Location Obfuscated IDs/Device ID is needed in order to determine whether that device is relevant to the investigation, law enforcement may request that Google provide additional location coordinates for the time period that fall outside of the target location. These contextual location coordinates may assist law enforcement in identifying devices that were located outside the target location, were not within the target location for a long enough period of time, were moving through the target location in a manner inconsistent with the facts of the underlying case, or otherwise are not relevant to the investigation.

Your Affiant's investigation to date provides reasonable grounds to believe that Google LLC has records and other information pertaining to certain subscribers that are relevant and material to an ongoing criminal investigation. Because Google LLC functions as an electronic communication service provider (provides its subscribers access to electronic communication services, including email and the Internet) and/or a remote computing service (provides computer facilities for the storage and processing of electronic communications), Neb. Rev. Stat. sec 86-2, 106 and 18 U.S.C. § 2703 set out particular requirements that a governmental entity must meet in order to obtain access to the records and other information it is seeking.

Therefore, Google's servers are likely to contain stored electronic communications and information concerning subscribers and their use of Google accounts and/or related products services. In my training and experience, such information may constitute evidence of the crimes under investigation including information that can be used to identify the account's user or users and that Google accounts are more than likely tied to both Android and Apple iOS and are continuously sending location information to Google LLC.

The above does constitute grounds of probable cause for the issuance of a search warrant to search Google Inc., Google Legal Investigations Support, 1600 Amphitheatre Parkway, Mountain View, CA 94043, for the information listed in Attachment A and Attachment B of this Affidavit.

Request for Non-Disclosure Order

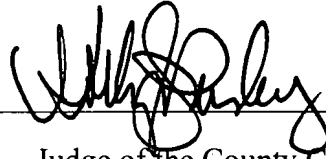
The records which are the subject of this search warrant are material and relevant to a legitimate law enforcement ongoing investigation into Felony Theft by Unlawful Taking. Pursuant to Neb. Rev. Stat. sec. 86-2,108 and Neb. Rev. Stat. sec. 86-2,105, affiant requests that Google, Inc. be ordered NOT 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 modification of the Subject's activities or the activities of those with whom Subject communicates and/or associates, the destruction or tampering with evidence; or would otherwise seriously jeopardize the investigation.

This search warrant shall be executed and returned within ten (10) days to a Clerk of the Lancaster District Court, Nebraska. In the event results are not received from Google Inc. within ten (10) days, the warrant will be returned within ten (10) days of receipt of the records.

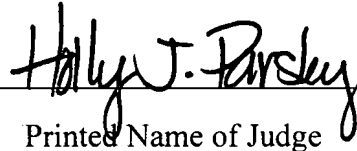
Dated this 20th day of November 2023.


Jon Rennerfeldt, AFFIANT

SUBSCRIBED to in my presence and sworn to before me this 20th day of November 2023.



Judge of the County Court



Printed Name of Judge



ATTACHMENT A

Property To Be Searched

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Service via (Google Inc.) Googles Law Enforcement Request System Account (LERS) Web Portal lers.google.com. Service may be via email at USLawEnforcement@google.com.

ATTACHMENT B

Items To Be Seized And Searched

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