

LPD Case Number: C4-004529

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

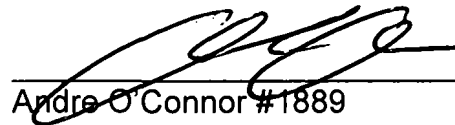
CR24-1

IN THE MATTER OF THE SEARCH WARRANT
OF THE DESCRIBED PREMISES OF
GOOGLE LLC
1600 AMPHITHEATRE PARKWAY
MOUNTAIN VIEW, CA, 94043

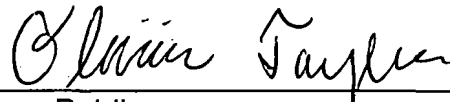
SEARCH WARRANT RETURN

STATE OF NEBRASKA)
)
COUNTY OF LANCASTER) ss.

The undersigned states that he received the Search Warrant issued herein on the 5th day of March, 2024, and that he executed the same on the 14th day of March, 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.


Andre O'Connor #1889

SUBSCRIBED to in my presence and sworn to before me this 15 day of MARCH, 2024.


Notary Public

LANCASTER COUNTY
2024 MAR 18 PM 4:04
CLERK OF THE
DISTRICT COURT



002162882D02



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INVENTORY

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF THE SEARCH WARRANT
OF THE DESCRIBED PREMISES OF
GOOGLE LLC
1600 AMHITHEATRE PARKWAY
MOUNTAIN VIEW, CA, 94043

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

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

Andre O'Connor, 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:

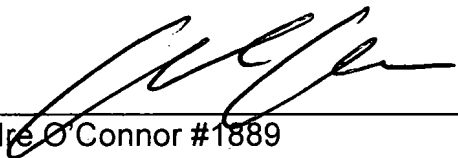
The undersigned hereby acknowledges receipt of the following described property seized from Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA, 94043:

The following items:

- (1) Zipped File – 54487383.Location_001.zip
- (2) Supplemental Letter 54487383

Inventory made in the presence of Giselle Hogan #1765.

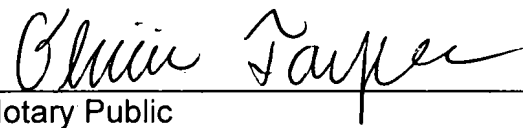
LANCASTER COUNTY
2024 MAR 18 PM 4:04
CLERK OF THE
DISTRICT COURT



Andre O'Connor #1889

SUBSCRIBED to in my presence and sworn to before me this 15TH day of
MARCH, 2024.





Notary Public

RECEIPT

The undersigned hereby acknowledges receipt of the following described property seized from Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA, 94043.

The following items:

- (1) Zipped File- 54487383.Location_001.zip
- (2) Supplemental Letter 54487383.

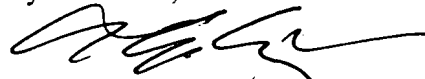
LANCASTER COUNTY
2024 MAR 18 PM 4:04
CLERK OF THE
DISTRICT COURT

DATED this 14TH day of MARCH 2024.

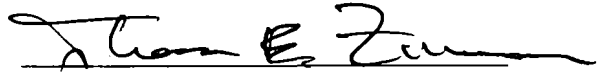
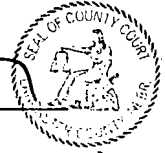
[Signature] #1889
[Signature] #1765
WITNESS

Inc. , Inc within ten (10) days, the warrant will be returned within ten (10) days of receipt of the records.

Given under my hand and seal this 5th day of March, 2024.



Judge of the County Court



Printed Name of Judge

ATTACHMENT A

Property To Be Searched

This warrant is directed to Google, LLC – An Electronic Communications Service Provider Google Legal Investigations Support 1600 Amphitheatre Parkway Mountain View, CA, 94043.

Service via Google's Law Enforcement Request System (LERS) on-line.
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:

Location # 1: 5710 Deerwood Dr, Lincoln, Nebraska 68516

Timeframe of the Google request: 01-17-2024: 0130-0330 Hours

Point 1: 40.76325442300529, -96.64198494926386

Point 2: 40.76341453155473, -96.64174371138888

Point 3: 40.76312909990399, -96.64139301254956

Point 4: 40.762974577432615, -96.6416188277243

The area is further described as the immediate area around 5710 Deerwood Dr, Lincoln, Lancaster County, Nebraska.

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)**

Investigator Andre O'Connor, 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 Theft by unlawful taking, Violation of Nebraska State Statue 28-511, occurring in Lincoln, Lancaster County, Nebraska, on 01-17-2024. AFFIANT has reviewed case reports regarding this investigation prepared by other involved Lincoln Police Officers.

Affiant's Background

Your Affiant has been a police officer for the Lincoln Police Department since March 19, 2020. Since September 13, 2013. Your 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. Your 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 01-17-2024 at 0712 hours, Officer A. Winterbauer of the Lincoln Police Department was dispatched to 5710 Deerwood Dr, Lincoln, Lancaster County, Nebraska on the report of a larceny from auto that occurred in the early morning hours. Officer A. Winterbauer contacted the reporting party, James

LANCASTER COUNTY
2024 MAR 18 PM 4:05
CLERK OF THE
DISTRICT COURT

Laudenklos, who reported he received a motion alert for his exterior cameras at 0138 hours on 01-17-2024, but there was no video footage.

Laudenklos reported when he got in his truck this morning, he noticed the glove box had been rummaged through. Upon further checking, Laudenklos noticed the back seat and contents had been rummaged through as well. Laudenklos reported his Gage County Sheriff duty vest and other work items were stolen from the back seat of his vehicle, NE: Plate YYW212, 2021 Silver GMC Sierra.

Laudenklos reported he always covered up his work items with a large blanket, which had been thrown to the side. Laudenklos found his Glock 43X MOS with bright red custom Apex trigger was missing from the glove box, which had been covered with a bright green microfiber towel. It should be noted that the bright green microfiber towel was still present. Laudenklos also reported his center console had been rummaged through.

Upon searching the area, footprints were observed in the snow and showed an unknown party walked up to Laudenklos' driveway, to the passenger side of his truck, from the east. Footprints in the snow then showed the unknown party going back to the street where a vehicle was likely parked under a tree, on the corner of Dogwood Dr and Deerwood Dr, Lincoln, Lancaster County, Nebraska.

Laudenklos has cameras on his property, but they do not face the passenger side of his truck, which was parked in his driveway. Laudenklos' body worn camera that was previously on his duty vest was located in the snow near the end of his driveway.

Laudenklos found small pry marks on his driver's door and the fan under his driver's seat was pulled out. Laudenklos later took his vehicle to Eustis Body Shop, and they determined the driver's door was wedged open, causing the damage, and allowing the unknown party to enter. The estimated damage is \$2,577.51.

Upon further examining Laudenklos's vehicle, an empty box of ammo was located on the passenger floorboard, which Laudenklos said was in his range bag. The box was dusted for latent fingerprints, but none were obtained. DNA swabs were taken from the glove box, center console, and passenger door. DNA was submitted to the state lab for testing.

Laudenklos' reported a total of twenty items were stolen from inside his vehicle, valued at \$5,122.00. Laudenklos stated his name and blood type (A-) were written on the inside of his duty vest. His initials 'JFL' were either written or inscribed on every piece of item stolen. Officers searched the area for further video, but no video surveillance was observed in the area.

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; for the following locations:

Location # 1: 5710 Deerwood Dr, Lincoln, Nebraska 68516

Timeframe of the Google request: 01-17-2024: 0130-0330 Hours

Point 1: 40.76325442300529, -96.64198494926386

Point 2: 40.76341453155473, -96.64174371138888

Point 3: 40.76312909990399, -96.64139301254956

Point 4: 40.762974577432615, -96.6416188277243

The area is further described as the immediate area around 5710 Deerwood Dr, Lincoln, Lancaster County, Nebraska.

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. Your Affiant knows these devices are capable of sending and receiving communications in many different forms. Your Affiant knows most people carry cellular phones on their person and will carry them whenever they leave their place of residence. Your Affiant knows that cellular phones may include global positioning systems (GPS) and other technology for determining the location of the device.

Your 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 requests is listed in Attachment B, which 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 various locations in Lincoln, Lancaster 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 a theft by unlawful taking, 28-511. 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.

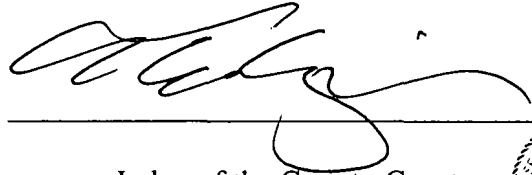
This search warrant shall be executed and returned within ten (10) days to a Clerk of the Lancaster District Court, Nebraska. In the event results are not received from Google Inc. within ten (10) days, the warrant will be returned within ten (10) days of receipt of the records.

Dated this 5TH day of MARCH, 2024.



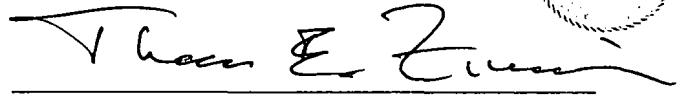
Inv. Andre O'Connor, AFFIANT

SUBSCRIBED to in my presence and sworn to before me this 5 day of March, 2024.



Judge of the County Court





Printed Name of Judge