

**AFFIDAVIT AND APPLICATION
SEARCH AND SEIZURE WARRANT**

JD-CR-61 Rev. 3-10
C.G.S. §§ 54-33a, 54-33c, 54-33j

STATE OF CONNECTICUT
SUPERIOR COURT

www.jud.ct.gov



Form JD-CR-52 must also be completed

Instructions To Applicant

File the application for the warrant and all affidavits upon which the warrant is based with the clerk of the court for the geographical area within which any person who may be arrested in connection with or subsequent to the execution of the search warrant would be presented, together with the return of the warrant.

Instructions To G.A. Clerk

Upon execution and return of the warrant, affidavits which are the subject of an order dispensing with the requirement of giving a copy to the owner, occupant or person within forty-eight hours shall remain in the custody of the clerk's office in a secure location apart from the remainder of the court file.

Police Case number 1200704559

TO: A Judge of the Superior Court or a Judge Trial Referee

The undersigned, being duly sworn, complains on oath that the undersigned has probable cause to believe that certain property, to wit:

Any and all telephone account information associated with Nancy Lanza of 36 Yogananda Street, Newtown, CT, to include telephone number (203) 733-0943, but not limited to all subscriber information, records of dates and times of any and all call usage detail information, all local and long distance incoming and outgoing telephone numbers, originating and terminating numbers, whether a call was answered, or not, billing record information, any additional telephone numbers associated with the account, any account identification information, account history to include any and all master telephone numbers and billings records. In addition, any cellular site tower information that is retained by the service provider, to include timing advance information and a call detail report (CDR) to include, but not limited to the dates and times a call was made, and which telephone number(s) were incoming and outgoing and the location of each tower that assisted in the completion of each call for the period of 01/01/12 or first available date of records thereafter to and including 12/14/12.

- is possessed, controlled, designed or intended for use or which is or has been or may be used as the means of committing the criminal offense of: _____
- was stolen or embezzled from: _____
- constitutes evidence of the following offense or that a particular person participated in the commission of the offense of:
Murder, in violation of the General Statutes of Connecticut (53a-54a)
- is in the possession, custody or control of a journalist or news organization, to wit:

- and such person or organization has committed or is committing the following offense which is related to such property:

- and such property constitutes contraband or an instrumentality of the criminal offense of:

And is within or upon a certain person, place, or thing, to wit:

Verizon Wireless located at 495 Union Street, Waterbury, CT 06706.

(This is page 1 of a 7 page Affidavit and Application.)

City/Town	Date	Signature and Title of Affiant
Bantam	4-10-13	Det. [Signature] #86
BANTAM	04/10/13	Det. M. [Signature] #502
Jurat	Subscribed and sworn to before me on (Date) 4-10-13	Signed (Judge/Judge Trial Referee) [Signature]

And the facts establishing the grounds for issuing a Search and Seizure Warrant are the following:

1. That the undersigned Affiants Detective Alison Peters # 816 and Detective Michael Downs # 502, are members of the Connecticut State Police, presently assigned to the Western District Major Crime Squad (WDMCS) and have approximately 30 years of combined law enforcement experience. Both Affiants have conducted numerous investigations of criminal activity including, but not limited to, murder, sexual assaults, kidnapping, robberies, narcotics violations, and assaults, and have received specialized training in the processing of crime scenes. The following facts and circumstances are stated from personal knowledge and/or observations and include information related to the Affiants by fellow officers and persons with knowledge of the facts and /or circumstances contained herein.
2. On Friday, December 14th, 2012 at approximately 0935 hours, Newtown Police Department Dispatch received a 9-1-1 call from a caller at the Sandy Hook Elementary School located at #12 Dickinson Drive in Newtown, CT. The caller reported that an active shooting situation was occurring at the Sandy Hook Elementary School.
3. As a result of the 9-1-1 call, numerous law enforcement personnel, including members from the Newtown Police Department and the Connecticut State Police, responded to the Sandy Hook Elementary School in Newtown. Upon arrival, law enforcement personnel conducted a search of the interior and exterior of the school. Investigators located CT registration 872YEO, a 2010, black colored Honda Civic unoccupied and parked near the fire lane directly in front of the school. The registered owner for the Honda Civic is Nancy Lanza, DOB 09/06/60, 36 Yogananda Street, Newtown, CT.
4. As investigators entered the school, numerous children and school personnel were located deceased within the school. Investigators also located a young adult white male dressed in military style clothing, lying deceased on the floor in room #10. The deceased male was in possession of several firearms. The deceased male has been positively identified as Adam Lanza (DOB: 04/22/1992), hereinafter referred to as "the shooter", who resided at # 36 Yogananda Street in Sandy Hook, CT.
5. Law enforcement personnel, including members of the Connecticut State Police-Emergency Services Unit responded to the residence of Nancy Lanza at #36 Yogananda Street in Sandy Hook, CT. Upon arrival at Lanza's residence, Connecticut State Police- Emergency Services Unit gained entry into the house and located a deceased middle-aged white female lying in a supine position on a bed in the 2nd floor master bedroom. The white female sustained apparent gunshot wounds to her forehead. Investigators located a rifle on the floor near the bed. The deceased female was positively identified as Nancy Lanza (DOB: 09/06/1960).
6. On December 14th, 2012, Agents of the Federal Bureau of Investigation (FBI) interviewed a witness who knew Adam Lanza and stated that he rarely leaves his home and considers him to be a shut-in. The witness also stated that "the shooter" has a gun safe containing at least four guns. The witness also stated that "the shooter" had attended Sandy Hook Elementary School.

(This is page 2 of a 7 page Affidavit and Application.)

City/Town	Date	Signature and Title of Affiant
Bantam	4-10-13	Det. Alison Peters #816
BANTAM	04/10/13	Det. M. Downs #502
Jurat	Subscribed and sworn to before me on (Date) 4-10-13	Signed (Judge/Judge Trial Referee) <i>[Signature]</i>

7. That on 12/14/12 a search warrant (Mincey Warrant) was applied for and received for the residence located at 36 Yogananda Street in Sandy Hook, CT. The Search and Seizure warrant was authorized by the Honorable John F. Blawie.

8. That during the execution of the Search and Seizure Warrant at the Lanza residence, 36 Yogananda Street in Sandy Hook, CT, investigators located an Apple I-Phone, cellular telephone, within the residence. The telephone number listed was (203) 733-0943 and belonged to Nancy Lanza. "The shooter" resided at this address with his mother and would have access to a cellular telephone associated with this number.

9. Based on your Affiants training and experience, a perpetrator(s), or persons knowing the victim(s), may have communicated by way of a telephone. Also, co-conspirators in the planning, execution and to cover up a particular crime may have communicated by way of telephone. Persons who communicate or attempt to communicate in this manner may have knowledge or valuable information leading to the identification of a perpetrator(s), or witness(s) of a murder.

10. Your Affiants have personal knowledge that Verizon Wireless located at 495 Union Street, Waterbury, CT., during their normal course of business, stores records contained on the Automated Message Accounting (AMA) system for any and all telephone account information associated with Nancy Lanza or 36 Yogananda Street, Newtown, CT, and /or telephone number (203) 733-0943. To include, but not limited to all subscriber information including records of dates and times of any and all incoming and outgoing telephone numbers, billing record information, any additional telephone numbers associated with the account, any account identification information, account history to include any and all master telephone numbers and billings records. In addition, any cellular site tower information that is retained by the service provider, to include timing advance information and a call detail report (CDR) to include, but not limited to the dates and times a call was made, and which telephone number(s) were incoming and outgoing and the location of each tower that assisted in the completion of each call for the period of 01/01/2012 or first available date of records thereafter to and including 12/14/12. That Celco Partnership DBA Verizon Wireless is a cellular provider that does business in the State of Connecticut, having multiple retail store locations, including one located at 495 Union Street, Waterbury, CT 06706. That Cellco Partnership DBA Verizon Wireless corporate headquarters is located at 180 Washington Valley Rd, Bedminster, NJ 07921.

11. Based on the preceding information, your Affiants believe that evidence of the crime of Murder, in violation of Connecticut General Statute 53a-54a, will be found within the account information for Nancy Lanza and telephone number (203) 733-0943. Therefore, your Affiants are requesting a search and seizure warrant be issued for Celco Partnership DBA Verizon Wireless located at 495 Union Street, Waterbury, CT. for telephone records associated with Nancy Lanza and/or telephone number (203) 733-0943 for the period of January 1, 2012 or first available date of records thereafter to and including December 14, 2012.

(This is page 3 of a 7 page Affidavit and Application.)

City/Town	Date	Signature and Title of Affiant
Benton	4-10-13	Det. [Signature] #814
BANTAM	04/10/13	Det. M. [Signature] #502
Jurat	Subscribed and sworn to before me on (Date) 4-10-13	Signed (Judge/Judge Trial Referee) [Signature]

The undersigned ("X" one) has not presented this application in any other court or to any other judge or judge trial referee.
 has presented this application in another court or to another judge or judge trial referee (specify):

Wherefore the undersigned requests that a warrant may issue commanding a proper officer to search said person or to enter into or upon said place or thing, search the same, and take into custody all such property.

And to submit the property described in the foregoing affidavit and application to laboratory analysis and examination:

(This is page 4 of a 7 page Affidavit and Application.)

City/Town	Date	Signature and Title of Affiant
Bantam	4-10-13	Det. [Signature] #816
Bantam	04/10/13	Det. M. Downs #502
Jurat	Subscribed and sworn to before me on (Date) 4-10-13	Signed (Judge/Judge Trial Referee) [Signature]

**AFFIDAVIT REQUESTING DISPENSATION WITH
REQUIREMENT OF DELIVERY
pursuant to § 54-33c, Connecticut General Statutes**

TO: A Judge of the Superior Court or a Judge Trial Referee

For the reasons set forth below, the undersigned, being duly sworn, requests that the judge / judge trial referee dispense with the requirement of C.G.S. § 54-33c that a copy of the application for the warrant and a copy of any affidavit(s) in support of the warrant be given to the owner, occupant or person named therein with forty-eight hours of the search:

- The personal safety of a confidential informant would be jeopardized by the giving of a copy of the affidavits at such time;
- The search is part of a continuing investigation which would be adversely affected by the giving of a copy of the affidavits at such time;
- The giving of such affidavits at such time would require disclosure of information or material prohibited from being disclosed by chapter 959a of the general statutes;

In addition, it is requested that the requirement of advance service of this warrant upon the customer whose financial records are being sought, be waived pursuant to C.G.S. § 36a-43 (a);

and the specific details with regard to such reasons are as follows:

The undersigned further requests that this affidavit also be included in such nondelivery.

(This is page 5 of a 7 page Affidavit and Application.)

City/Town	Date	Signature and Title of Affiant
Bantam	4-10-13	Det. Alan Red #814
BANTAM	04/10/13	Det. M. Corina #502
Jurat	Subscribed and sworn to before me on (Date) 4-10-13	Signed (Judge/Judge Trial Referee) John J. Blawie

The foregoing Affidavit and Application for Search and Seizure Warrant having been presented to and been considered by the undersigned, a Judge of the Superior Court or a Judge Trial Referee, and the foregoing Affidavit having been subscribed and sworn to by the affiant(s) before me at the time it was presented, the undersigned (a) is satisfied therefrom that grounds exist for said application, and (b) finds that said affidavit established grounds and probable cause for the undersigned to issue this Search and Seizure Warrant, such probable cause being the following: From said affidavit, the undersigned finds that there is probable cause for the undersigned to believe that the property described in the foregoing affidavit and application is within or upon the person, if any, named or described in the foregoing affidavit and application, or the place or thing, if any, described in the foregoing affidavit and application, under the conditions and circumstances set forth in the foregoing affidavit and application, and that, therefore, a Search and Seizure warrant should issue for said property.

NOW THEREFORE, by Authority of the State of Connecticut, I hereby command any Police Officer of a regularly organized police department, any State Police Officer, any inspector in the Division of Criminal Justice, or any conservation officer, special conservation officer or patrol officer acting pursuant to C.G.S. § 26-6 to whom these presents shall come within ten days after the date of this warrant to enter into or upon and search the place or thing described in the foregoing affidavit and application, or search the person described in the foregoing affidavit and application or both, to wit:

Verizon Wireless located at 495 Union Street, Waterbury, CT 06706.

for the property described in the foregoing affidavit and application, to wit:

Any and all telephone account information associated with Nancy Lanza of 36 Yogananda Street, Newtown, CT, to include telephone number (203) 733-0943, but not limited to all subscriber information, records of dates and times of any and all call usage detail information, all local and long distance incoming and outgoing telephone numbers, originating and terminating numbers, whether a call was answered, or not, billing record information, any additional telephone numbers associated with the account, any account identification information, account history to include any and all master telephone numbers and billings records. In addition, any cellular site tower information that is retained by the service provider, to include timing advance information and a call detail report (CDR) to include, but not limited to the dates and times a call was made, and which telephone number(s) were incoming and outgoing and the location of each tower that assisted in the completion of each call for the period of 01/01/12 or first available date of records thereafter to and including 12/14/12.

submit the property described in the foregoing affidavit and application to laboratory analysis and examination:

and upon finding said property to seize the same, take and keep it in custody until the further order of the court, and with reasonable promptness make due return of this warrant accompanied by a written inventory of all property seized.

The foregoing request that the judge or judge trial referee dispense with the requirement of C.G.S. § 54-33c that a copy of the warrant application and affidavit(s) in support of the warrant be given to the owner, occupant or person named therein and that the affidavit in support of such request also be included in such nondelivery is hereby:

GRANTED for a period of NOT TO EXCEED 2 WEEKS BEYOND DATE WARRANT IS EXECUTED
14 days

This order, or any extension thereof, dispensing with said requirement shall not limit disclosure of such application and affidavits to the attorney for a person arrested in connection with or subsequent to the execution of the search warrant unless, upon motion of the prosecuting authority within two weeks of such arraignment the court finds that the state's interest in continuing nondisclosure substantially outweighs the defendant's right to disclosure.

DENIED.

Service of this Search Warrant upon the customer whose financial records are being sought is hereby waived, pursuant to C.G.S. § 36a-43 (a).

(NOTE: AFFIANT'S OATH MUST BE TAKEN PRIOR TO JUDGE / JUDGE TRIAL REFEREE SIGNING BELOW)

(This is page 6 of a 7 page Affidavit and Application.)

Signed at <u>Bantam</u> , Connecticut, on:	Date	<u>4-10-13</u>	At (Time)	<input checked="" type="checkbox"/> a.m.
			<u>10:51</u>	<input type="checkbox"/> p.m.
Signed (Judge/Judge Trial Referee)	Print name of Judicial Official			
<u>[Signature]</u>	<u>BLAWIE, J.</u>			

**RETURN FOR AND INVENTORY
PROPERTY SEIZED ON SEARCH AND SEIZURE WARRANT**

			Inventory control number
Judicial District of <u>Danbury</u>	G.A. <u>3</u>	At (Address of Court) <u>146 white St. Danbury, CT 06810</u>	Date of seizure <u>4-17-13</u>
Docket number <u>CR-</u>	Uniform arrest number	Police case number <u>1200704559</u>	Companion case number <u>12-00704597</u>

Then and there by virtue of and pursuant to the authority of the foregoing warrant, I searched the person, place or thing named therein, to wit:

Verizon Wireless located at 495 Union Street, Waterbury, CT 06706.

and found thereon or therein, seized, and now hold in custody, the following property:

Total Cash Seized: 0, consisting of

Exhibit # 365: The call detail records for telephone number (203) 733-0943.

and I gave a copy of such warrant to N/A, the owner or occupant of the dwelling, structure, motor vehicle or place designated therein, or to Toni Sickle, Verizon Wireless, the person named therein, on (Date) 4-10-13.

(This is page 7 of a 7 page Affidavit and Application.)

Date <u>5/1/13</u>	Signed (Officer's signature and department) <u>Det Alan Ketur #816 - WDNIC - Troop A</u>
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NOTE: Form JD-CR-61, pages 1 - 7 must be supplemented by Form JD-CR-52.