

**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 CFS 12-00704559

**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 information associated with the accounts: "KAYNBRED" and the gamer tags within clan "MG14c"; All subscriber information, including full name(s), physical address(es), account identifier(s), email address(es), and telephone number(s); Account status, alternative email addresses provided during registration; All transaction or connectivity logs, including records of session times, dates, durations, and assigned IP addresses; Length of service (including start date) and types of service utilized; All means and source of payment for such service (including any credit card or bank account number); All content associated with chat communications, including but not limited to "All Chat", "Clan Chat Only", "Channel Chat", and "Community Forum" between "KAYNBRED" and gamer tags within clan "MG14c"; All records or other information stored at any time by an individual using the accounts, including address books, contact and buddy lists, calendar data, pictures, and files; All records pertaining to communications between Nexon America, Inc. and any person regarding the account, including contacts with support services and records of actions taken; other records identifying any individuals who owned, used, or accessed the aforementioned accounts, including but not limited to account opening records, subscriber contact information, account access logs, and email header information for the period of January 1<sup>st</sup>, 2009 through December 31<sup>st</sup>, 2012.

- 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 Connecticut General Statutes (C.G.S. 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:

**Nexon America, Inc., ATTN: Mr. Andrew Boortz - General Counsel, 222 N. Sepulveda Boulevard, Suite 300, El Segundo, California 90245**

\*\*\* ADDITIONAL AUTHORIZATION PROVIDED BY CAL PENAL CODE SEC. 1524.2 AND 18 U.S.C. 2703.

(This is page 1 of a 8 page Affidavit and Application.)

City/Town	Date	Signature and Title of Affiant
Bridgeport	08/27/13	Det. Allegro #950
Bridgeport	08/27/13	Det. John Kimball #877
Jurat	Subscribed and sworn to before me on (Date) Aug 27, 2013	Signed (Judge/Judge Trial Referee) Ju. J. Blum

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

1. That the undersigned Affiants, Detective Christopher Allegro #950 and Detective John Kimball #877, are members of the Connecticut State Police, presently assigned to the Western District Major Crime Squad (WDMCS) and have approximately 28 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 and the collection of physical and trace evidence. The knowledge of the facts and circumstances contained hereinafter are the result of the Affiants' personal investigative efforts and observations, as well as those of other law enforcement officers acting in their official capacity, who related their findings to these Affiants.
2. On Friday December 14<sup>th</sup>, 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, Connecticut. 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 Connecticut 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, year of birth - 1960, of 36 Yogananda Street in Newtown, Connecticut.
4. As investigators entered the school, numerous children and school personnel were located deceased within the school. Investigators also located a 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, year of birth - 1992, hereinafter referred to as "the shooter", who resided at 36 Yogananda Street in Newtown, Connecticut.
5. Law enforcement personnel, including members of the Connecticut State Police - Emergency Service Unit, responded to the residence of Nancy Lanza at 36 Yogananda Street in Newtown, Connecticut. Upon arrival at Lanza's residence, members of the Connecticut State Police - Emergency Service Unit gained entry into the house and located a deceased middle-aged white female lying on a bed in the 2<sup>nd</sup> floor master bedroom. The white female sustained an apparent gunshot wound to her forehead. The deceased female was positively identified as Nancy Lanza, year of birth, 1960.
6. On Thursday December 14<sup>th</sup>, 2012, law enforcement agents interviewed a witness who knew Adam Lanza and stated the he rarely left his home and considered 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 the Sandy Hook Elementary School.
7. On Thursday December 14<sup>th</sup>, 2012 a Search and Seizure Warrant (Mincey) was applied for and granted for the residence located at 36 Yogananda Street in Newtown, Connecticut. The Search and Seizure Warrant was authorized by the Honorable John F. Blawie.
8. During the execution of the Search and Seizure Warrant at the Lanza residence (36 Yogananda Street),

(This is page 2 of a 8 page Affidavit and Application.)

City/Town	Date	Signature and Title of Affiant
Bridgewater	08/27/13	Det. C Allegro #950
Bridgewater	08/27/13	Det. John Kimball #877
Jurat	Subscribed and sworn to before me on (Date) Aug 27, 2013	Signed (Judge/Judge Trial Referee) John F. Blawie

investigators seized various items of evidentiary value. Among these items were personal computers and electronic equipment that would provide the user with a means of communication via the Internet. "The shooter" resided at this address with his mother (Nancy Lanza) and would have had access to all the aforementioned items.

9. Through investigative efforts conducted by other law enforcement officers including a comprehensive review of seized items of evidentiary value, these Affiants learned that one of the computer hard drives located within the Lanza residence (36 Yogananda Street) contained an electronic folder labeled "Combat Arms Screenshots". Within this folder were one-hundred seventy-two (172) digital "screenshots" or images taken while playing the video game, "Combat Arms".
10. An Internet search of **Combat Arms** revealed it to be a multiplayer, free-to-play, modern, first-person shooter (FPS) game "served" or hosted by Nexon America, Inc. located at **222 N. Sepulveda Boulevard, Suite 300, in El Segundo, California 90245**. **Combat Arms** has over 10,000,000 registered players. The game supports community features such as Clans, Internet Relay Chat (IRC), and an in-game Friends' List. **Combat Arms** uses a player ranking system based on total experience, using common military ranks that players can obtain. Completing objectives, killing other players, and leveling up one's rank gives the player money in the form of Gear Points (GP) that can then be used to purchase new equipment. Equipment includes weaponry, weapon attachments, and accessories for one's character. Players can also purchase equipment from the Black Market (previously known as the Nexon Cash Shop) using Nexon Cash (NX) that is bought with real-world money.
11. Further review of the aforementioned screenshots, revealed an online gaming account / character with the associated gamer tag, "**KAYNBRED**". A gamer tag is a name (usually a pseudonym) adopted by a video gamer and used as the individual's preferred identification method within the gaming community. In this case, it appears that **KAYNBRED** was the sole gamer tag utilized when logging on / playing **Combat Arms** from this computer.
12. The gamer tag, **KAYNBRED**, also possessed a "clan tag", which is a unique marker, image, or symbol, used to identify that the gamer is a member of a specific clan. Clans are generally a group of gamers who play together as a team against other clans. They are most commonly found in online multi-player games in which one team can face off against another. Clans can also be formed to create loosely based affiliations perhaps by all being fans of the same game or merely gamers who have close personal ties to each other. FPS clans normally host servers with rules that they like. For instance, if a group of gamers like to use pistols only, they could join a clan that runs a pistols only server and the clan would enforce the rules. So, it is important to join a clan that has server rules you enjoy or you could easily find yourself removed from the clan. **KAYNBRED** was a member of clan "**MG14c**". Additional information depicted within the screenshots, noted twenty-two (22) other gamer tags to be associated with clan **MG14c** as well as snippets of chat content corresponding (to and from) with **KAYNBRED** and other members of **MG14c**.
13. The definition of Internet Relay Chat (IRC) is a protocol for live interactive Internet text messaging (chat) or synchronous conferencing. It is mainly designed for group communication in discussion forums, called channels but also allows one-to-one communication via private message as well as chat and data transfer including file sharing. **Combat Arms** affords its users the following four (4) means of IRC from which to communicate while gaming: "All Chat", "Clan Chat Only", "Channel Chat", and a "Community Forum".
14. Based on the Affiants' training and experience, a perpetrator(s), or persons knowing the victim(s), may have communicated by way of Internet Relay Chat (IRC) while participating in virtual communities, including but not

(This is page 3 of a 8 page Affidavit and Application.)

City/Town	Date	Signature and Title of Affiant
Bridgeport	08/27/13	Det. CMlegro #950
Beverly Hills	08/27/13	Det. Jib Kinsell #877
Jurat	Subscribed and sworn to before me on (Date) Aug 27, 2013	Signed (Judge/Judge Trial Referee) Jim J. Blum

limited to Internet-based FPS games. Also, any co-conspirators in the planning, execution, and/or cover up of a particular crime may have communicated by way of IRC. Additionally, persons who communicate or attempt to communicate in this manner may have knowledge or valuable information leading to the identification of a perpetrator(s), and/or potential witness(s) of the crime.

15. The Affiants have personal knowledge that the "game server" or host of Combat Arms is Nexon America, Inc., 222 N. Sepulveda Boulevard, Suite 300, El Segundo, California 90245.
16. Based upon the facts and circumstances described above, the Affiants have probable cause to believe that Nexon America, Inc., 222 N. Sepulveda Boulevard, Suite 300, El Segundo, California 90245 has in its possession account information associated with the gamer tag, "KAYNBRED" and the gamer tags within clan "MG14c", which will contain evidence relating to the crime of Murder, in violation of Connecticut General Statute (C.G.S. 53a-54c).
17. Therefore, your Affiants are respectfully requesting a Search and Seizure warrant be issued for Nexon America, Inc., 222 N. Sepulveda Boulevard, Suite 300, El Segundo, California 90245 for any information associated with the accounts: "KAYNBRED" and the gamer tags within clan "MG14c"; All subscriber information, including full name(s), physical address(es), account identifier(s), email address(es), and telephone number(s); Account status, alternative email addresses provided during registration; All transaction or connectivity logs, including records of session times, dates, durations, and assigned IP addresses; Length of service (including start date) and types of service utilized; All means and source of payment for such service (including any credit card or bank account number); All content associated with chat communications, including but not limited to "All Chat", "Clan Chat Only", "Channel Chat", and "Community Forum" between "KAYNBRED" and gamer tags within clan "MG14c"; All records or other information stored at any time by an individual using the accounts, including address books, contact and buddy lists, calendar data, pictures, and files; All records pertaining to communications between Nexon America, Inc. and any person regarding the account, including contacts with support services and records of actions taken; other records identifying any individuals who owned, used, or accessed the aforementioned accounts, including but not limited to account opening records, subscriber contact information, account access logs, and email header information for the period of January 1<sup>st</sup>, 2009 through December 31<sup>st</sup>, 2012.
18. Both California law, under the California Penal code Sec. 1524.2, and federal law, under 18 U.S.C. 2703, provide authority for out-of-state search warrants of providers of electronic communication services or remote computing services.

\*\*\* If possible, please email all requested information to [Christopher.Allegro@ct.gov](mailto:Christopher.Allegro@ct.gov).

(This is page 4 of a 8 page Affidavit and Application.)

City/Town	Date	Signature and Title of Affiant
Bridgewater	08/27/13	Det. Allegro #950
Bridgewater	08/27/13	Det. John Kimball #877
Jurat	Subscribed and sworn to before me on (Date) Aug 27, 2013	Signed (Judge/Judge Trial Referee) John D. Blum

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 5 of a 8 page Affidavit and Application.)

City/Town	Date	Signature and Title of Affiant
Det. Charles Bridgeport	08/27/13	Det. CMlogos #950
Bridgeton	08/27/13	Det. John Kimball #877
Jurat	Subscribed and sworn to before me on (Date) Aug 27, 2013	Signed (Judge/Judge Trial Referee) John J. Blum

**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:

**This is an evolving investigation in which the identification of additional suspect(s) and co-conspirators could be potentially compromised by disclosure of the aforementioned information at this juncture.**

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

*(This is page 6 of a 8 page Affidavit and Application.)*

City/Town	Date	Signature and Title of Affiant
Bridgeport	08/27/13	Det. Maguire #950
Bridgewater	08/27/13	Det. John Kinsler #877
Jurat	Subscribed and sworn to before me on (Date) Aug 27, 2013	Signed (Judge or Judge Trial Referee) John J. Blum

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:

**Nexon America, Inc., ATTN: Mr. Andrew Boortz - General Counsel, 222 N. Sepulveda Boulevard, Suite 300, El Segundo, California 90245**

**\*\*\* ADDITIONAL AUTHORIZATION PROVIDED BY CAL PENAL CODE SEC. 1524.2 AND 18 U.S.C. 2703.**

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

Any information associated with the accounts: "KAYNBRED" and the gamer tags within clan "MG14c"; All subscriber information, including full name(s), physical address(es), account identifier(s), email address(es), and telephone number(s); Account status, alternative email addresses provided during registration; All transaction or connectivity logs, including records of session times, dates, durations, and assigned IP addresses; Length of service (including start date) and types of service utilized; All means and source of payment for such service (including any credit card or bank account number); All content associated with chat communications, including but not limited to "All Chat", "Clan Chat Only", "Channel Chat", and "Community Forum" between "KAYNBRED" and gamer tags within clan "MG14c"; All records or other information stored at any time by an individual using the accounts, including address books, contact and buddy lists, calendar data, pictures, and files; All records pertaining to communications between Nexon America, Inc. and any person regarding the account, including contacts with support services and records of actions taken; other records identifying any individuals who owned, used, or accessed the aforementioned accounts, including but not limited to account opening records, subscriber contact information, account access logs, and email header information for the period of January 1st, 2009 through December 31st, 2012.

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  
*Sept 10, 2013*

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 7 of a 8 page Affidavit and Application.)*

Signed at <i>Bridgport</i> , Connecticut, on: <i>Aug 27, 2013</i>	Date	At (Time) <i>9:46</i>	<input checked="" type="checkbox"/> a.m. <input type="checkbox"/> p.m.
Signed (Judge/Judge Trial Referee) <i>[Signature]</i>	Print name of Judicial Official <i>Hon. John P. Blawie</i>		

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

			Inventory control number
Judicial District of <b>DANBURY</b>	G.A. <b>03</b>	At (Address of Court) <b>146 WHITE STREET, DANBURY, CONNECTICUT 06810</b>	Date of seizure <b>09/06/2013</b>
Docket number <b>CR-</b>	Uniform arrest number	Police case number <b>CFS 12-00704559</b>	Companion case number

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:

**Nexon America, Inc., ATTN: Mr. Andrew Boortz - General Counsel, 222 N. Sepulveda Boulevard, Suite 300, El Segundo, California 90245**

\*\*\* ADDITIONAL AUTHORIZATION PROVIDED BY CAL PENAL CODE SEC. 1524.2 AND 18 U.S.C. 2703.

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

Total Cash Seized: -----ZERO-----, consisting of

**EXHIBIT #: 00371 - One (1), Maxell CD-R containing records obtained from NEXON AMERICA, INC.**

-----NOTHING FOLLOWS-----

and I gave a copy of such warrant to Mr. Andrew Boortz - General Counsel, the owner or occupant of the dwelling, structure, motor vehicle or place designated therein, or to \_\_\_\_\_ the person named therein, on (Date) 08/27/2013.

(This is page 8 of a 8 page Affidavit and Application.)

Date <u>09/06/2013</u>	Signed (Officer's signature and department) <u>Det. Allegro #950 CSP-WDMCS</u>
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NOTE: Form JD-CR-61, pages 1 - 8 must be supplemented by Form JD-CR-52.