

RETURN; RECEIPT; INVENTORY OF SEARCH WARRANT

21 cm 32

State of Ohio ) In Re Search Warrant of
Franklin County ss. ) ADT LLC records,
) data, and information
)
) Warrant Dated June 2, 2021

I, Special Agent Justin Root, the person taking property hereunder, received the attached search warrant on the 2nd day of June, 2021 and (check appropriate box):

- I am returning the Warrant without having executed the same.
I executed it as follows: on the 10th day of June, 2021, at 11:00 A.M., I executed the search warrant for ADT, LLC., described in the warrant, and left a copy of the warrant (check one):

- with ADT, LLC's duly designated representative
at ADT, LLC's principal place of business together with a copy of this Inventory and Receipt for the items seized.

Furthermore (check appropriate box):

- no evidence was seized.
The following is an INVENTORY of property taken pursuant to the warrant prepared by SA Justin Root:

Table with 2 columns: Item No., Quantity and description of property taken. Row 1: 1, One five-page PDF document in electronic format.

This Inventory was taken by SA Justin Root in the presence of the witnesses signing below:

SA Justin Root (If Present) Credible Witness
ADT, LLC's Representative Credible Witness

I swear this Inventory is a true and detailed account of all property taken by me on the Warrant; and a copy of this Inventory was deposited with the person or at the vehicle from which the property was taken as a Receipt of the items taken.

SA Justin Root (Signature)

Sworn to before me, and subscribed in my presence on this 10th day of June, 2021.

Notary Public/Clerk of Courts/Deputy Clerk (Signature)

FILED
COMMON PLEAS COURT
FRANKLIN CO. OHIO
21 JUN 10 AM 8:05
CLERK OF COURTS

21 cm 32

STATE OF OHIO  
FRANKLIN COUNTY COMMON PLEAS

Search Warrant

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In re Search of:  
ADT LLC records,  
data, and information

FILED  
FRANKLIN COUNTY  
CLERK OF COURTS  
JUN 10 AM 8:05  
FRANKLIN CO. OHIO

*Greetings:*

**TO: Interim Chief Michael Woods, Columbus Division of Police; The Ohio Bureau of Criminal Investigation; and/or any law enforcement officer with authority.**

Whereas there has been filed with me an affidavit of Special Agent Justin Root of the Ohio Bureau of Criminal Investigation demonstrating probable cause to search and for ADT LLC to provide records for the account(s) associated with the following account identifiers:

- **Physical Address: 3171 Legion Lane, Columbus, Ohio,**
- **Customer ID: [REDACTED]**
- **CS# T210038969**
- **Site ID: 150207zb335434**

And finding that there is now being concealed evidence relevant to the crime(s) being investigated, to-wit: Ohio Revised Code 2903.01 (Aggravated Murder); 2903.02 (Murder); 2903.03 (Voluntary Manslaughter); 2903.041 (Reckless Homicide); 2903.05 (Negligent Homicide); or any other violation of Ohio Revised Code Chapter 2903.

**YOU ARE COMMANDED, in the name of the state of Ohio** and with any necessary and proper assistance, to serve this warrant and to search the Person/Place identified herein and to seize the Property described below within three (3) days (excluding the date this warrant is issued, Saturday, Sunday, and any legal holiday), only in the daytime (7:00a.m. to 8:00p.m.), and promptly return this Warrant, together with a written Inventory of any property taken to the undersigned judge. Due to the nature of acquiring and analyzing electronic and/or digital evidence, the execution of this warrant may continue until the data acquisition and analysis is completed and the search warrant return shall reflect any acquisition of electronic data generally. Any property seized pursuant to this warrant shall be brought before this Court or, alternatively, may be held in the custody of the Columbus Division of Police and/or the Ohio Bureau of Criminal Investigation until and unless otherwise directed or authorized by this Court.

**PROPERTY TO BE SEARCHED FOR AND SEIZED: It is hereby ordered** that ADT LLC provide to the Columbus Division of Police and/or the Ohio Bureau of Criminal

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Investigation the content and records associated to the account(s) listed above for the timeframe from 1600 hrs – 1700 hrs EDT (UTC-4) on April 20, 2021:

- **Subscriber Information:** Basic subscriber information for the above-identified accounts consisting of account creation date(s), activation information, any and all email address(es), telephone numbers, or other contact information associated with the account(s);
- **Non-content:** Including but not limited to access logs, including deletion logs, showing dates and times the account has been accessed (or attempted to be accessed), metadata of such access or attempt (including IP addresses, device information, device name cookie information, etc.), timestamps and IP address(es) for the account logins/logouts, and any other accounts associated by cookie information stored in connection therewith; and
- **Content:** Any and all content data, including but not limited to video, audio, pictures, and communications (including any service communications with ADT, LLC);

All of the above records may be seized, accessed, listened to, read, reviewed, copied, and converted to human-reviewable form as necessary by the Columbus Division of Police and/or the Ohio Bureau of Criminal Investigation. Authorization is granted for the evidence specified herein to be transferred to the Ohio Bureau of Criminal Investigation for data duplication, data acquisition, and/or to otherwise make human-readable copies or recordings of this data in order to preserve and protect the information and to thereafter seize, read, listen to, copy, and maintain the described property and/or evidence.

**This Search Warrant is issued under Ohio law, Ohio Crim. R. 41, and in conformity with 18 U.S.C. § 2703(a)–(c). Pursuant to 18 U.S.C. § 2703(g), the presence of an officer is not requires for service or execution of this search warrant.**

**The property to be searched for and seized will be found on/at Person/Place to be searched:**

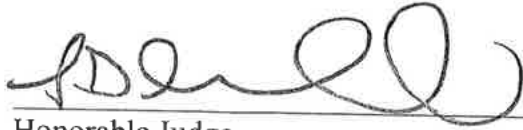
ADT LLC  
c/o CT Corporation Systems  
Easton Commons Way, Ste 125  
Columbus, OH 43219

- Daytime search warrant
- Nighttime search warrant

Sworn to before me, Judge of a court of record, and in my presence on:

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 COMMON PLEAS COURT  
 FRANKLIN CO. OHIO  
 JUN 10 AM 8:05  
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June 2, 2021 at 1:47 am/pm



Honorable Judge  
Franklin County Common Pleas

FILED  
COMMON PLEAS COURT  
FRANKLIN CO., OHIO  
JUN 10 AM 8:06  
CLERK OF COURTS

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**AFFIDAVIT FOR SEARCH WARRANT**

STATE OF OHIO )  
 ) SS.:  
COUNTY OF FRANKLIN )

Before me, an Honorable Judge of the Franklin County Court of Common Pleas, came Special Agent Justin Root of the Ohio Bureau of Criminal Investigation's Cyber Crime Unit, who, being duly sworn according to law deposes and says that he has good cause to believe that the below listed company records contain evidence that would lead to identifying suspect(s) and/or victim(s) and uncovering additional evidence in the listed crimes being investigated in Franklin County, Ohio that occurred on January 20, 2021, to wit: ADT, LLC account records as identified below and in the accompanying proposed Search Warrant for the ADT, LLC account associated with the following account identifiers:

- **Physical Address: 3171 Legion Lane, Columbus, Ohio,**
- **Customer ID: [REDACTED]**
- **CS# T210038969**
- **Site ID: 150207zb335434**

Affiant states and avers as follows:

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FRANKLIN CO. OHIO  
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CLERK OF COURTS

1. My name is Justin Root and I am a Special Agent with the Ohio Bureau of Criminal Investigations working in the Cyber Crime Unit. I make this application to obtain a search warrant to investigate the following violations of Ohio law: Ohio Rev. Code §§ 2903.01 (Aggravated Murder); 2903.02 (Murder); 2903.03 (Voluntary Manslaughter); 2903.041 (Reckless Homicide); 2903.05 (Negligent Homicide) or any other violation of Ohio Revised Code Chapter 2903. The facts upon which this application is based, as set forth below, are either known to me personally or have been relayed to me by witnesses or other law enforcement officers assisting with this investigation.

**AFFIANT'S BACKGROUND**

2. I graduated from the Ohio State Highway Patrol Basic Police Academy in December 1999 and began my law enforcement career with the Ohio State University

Police Department (OSUPD). At OSUPD, I served initially as a patrol officer before moving to the Investigative Services Division, where I served as the department’s computer crime investigator for approximately six years. While a detective with OSUPD, I also served as a Special Deputy United States Marshal on the Federal Bureau of Investigation’s Cybercrime Taskforce from 2005-2007. Except for a period from May 2008 until approximately May 2009 (while in private employment) I have been a law enforcement officer since 1999. In that time, I have held commissions with the Ohio State University Police Department, the Worthington, Ohio, Division of Police, and the Ohio Bureau of Criminal Investigation. I held my federal commission as a Special Deputy United States Marshal for the FBI’s cybercrime taskforce from 2005–2007.

3. During my time in law enforcement, I have investigated hundreds of criminal offenses, including countless computer-connected criminal events, and have obtained and numerous search warrants. Many of the search warrants I have obtained and executed relate to electronic devices and the data stored therein.

**INFORMATION SOUGHT AND LEGAL BASES THEREFORE**

4. This application seeks a search warrant for records held by ADT, LLC (“ADT”) which accepts legal process in Ohio c/o CT Corporation System, Easton Way, Ste 125, Columbus, Ohio. ADT offers to the public various items of hardware (such as internet-enabled wireless surveillance cameras) as well as software applications with which customers can view, record, and store footage via the internet through a connection to the ADT computer servers. The contents of videos, if stored, are sent online to ADT by electronic communication to the company and saved on ADT’s computer systems for users. ADT allows users of its service to create accounts, associated with email addresses, to control access to a user’s account for storing and viewing recorded video. ADT’s application is available on various internet-enabled smartphones, such as the Apple iPhone. ADT therefore satisfies the definition of a “remote computing service” under 18 U.S.C. § 2711(2) because it “provi[des] to the public...computer storage or processing services by means of an electronic communications system.”

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5. Because of the services ADT provides, it is bound by the terms of the federal Stored Communications Act. The federal Stored Communications Act, 18 U.S.C. § 2701 et seq., controls the access of records, content, and other information from electronic communication service providers and remote computing service providers by governmental entities. 18 U.S.C. § 2703(a) states, in part:

*A governmental entity may require the disclosure by a provider of electronic communication service of the contents of a wire or electronic communication, that is in electronic storage in an electronic communications system for one hundred and eighty days or less, only pursuant to a warrant...in the case of a State court, issued using State warrant procedures...by a court of competent jurisdiction.*

6. 18 U.S.C. § 2703(b) states, in part:

*A governmental entity may require a provider of remote computing service to disclose the contents of any wire or electronic communication...without required notice to the subscriber or customer, if the governmental entity obtains a warrant...issued using State warrant...by a court of competent jurisdiction.*

7. 18 U.S.C. § 2703(c) states, in part:

*A governmental entity may require a provider of electronic communication service or remote computing service to disclose a record or other information pertaining to a subscriber to or customer of such service (not including the contents of communications) only when the governmental entity...obtains a warrant...issued using State warrant procedures...by a court of competent jurisdiction.*

8. Ohio Courts of Common Pleas satisfy the federal statutory definition of a "court of competent jurisdiction" under 18 U.S.C. § 2711(3)(B) ("a court of general criminal jurisdiction of a State authorized by the law of that State to issue search warrants").

Based on the foregoing facts, Affiant believes that the records kept by ADT for the accounts identified above may contain content, activity logs, personal identifiers, and other information that is relevant to this ongoing investigation, including but not limited to the following for the timeframe from 1600 hrs – 1700 hrs EDT (UTC-4) on April 20, 2021:

- **Subscriber Information:** Basic subscriber information for the above-identified accounts consisting of account creation date(s), activation information, any and all email address(es), telephone numbers, or other contact information associated with the account(s);
- **Non-content:** Including but not limited to access logs, including deletion logs, showing dates and times the account has been accessed (or attempted

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FRANKLIN COUNTY, OHIO  
2021 JUN 10 AM 8:06

to be accessed), metadata of such access or attempt (including IP addresses, device information, device name cookie information, etc.), timestamps and IP address(es) for the account logins/logouts, and any other accounts associated by cookie information stored in connection therewith; and

- **Content:** Any and all content data, including but not limited to video, audio, pictures, and communications (including any service communications with ADT, LLC);

9. 18 U.S.C. § 2703(g) does not require the presence of an officer for service or execution of search warrants issued under that chapter that are seeking the disclosure by a provider of electronic communications service or remote computing service of the contents of communications or records or other information pertaining to a subscriber to or customer of such service.

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 FRANKLIN CO. OHIO  
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**FACTS ESTABLISHING PROBABLE CAUSE**

10. On April 20, 2021, Officers from the Columbus Division of Police responded to the area of 3171 Legion Lane, Columbus, Ohio on a reported disturbance. Shortly after arrival, one officer intervened in a physical altercation occurring between people at that scene. In the course of events, the officer fired his duty weapon at one of the participants in the altercation, resulting in that person's death. During the course of the subsequent investigation, at least one camera operating through the ADT, LLC company was found at the residence.

11. A resident of the address was interviewed and revealed that she had an application on her cellular telephone allowing her to access the ADT account. The account identifiers listed above were obtained from that application.


12. It is believed that ADT allows users to store copies of videos on servers under its control. Additionally, access logs may verify whether anyone accessed the account to delete any account data. Other information may verify ownership and/or account usage.

13. On April 21, 2021, the ADT, LLC account that is the target of this investigation was preserved, and ADT, LLC acknowledged its preservation obligations.



14. Taking all of these factors into consideration, probable cause exists for this Court to issue a search warrant for the entirety of the ADT account associated with the identifiers listed above for the specific categories of data listed above for the specific timeframe listed above. Affiant therefore requests that this Court issue a search warrant allowing investigators to obtain the video, information, and records sought from ADT in connection with that account.

Further Affiant sayeth naught.

  
\_\_\_\_\_  
Special Agent  
The Ohio Bureau of Criminal Investigation

Sworn to and subscribed before me this 2<sup>nd</sup> day of June, 2021 at 1:47 am/pm.

  
\_\_\_\_\_  
Honorable Judge  
Franklin County Court of Common Pleas

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COMMON PLEAS COURT  
FRANKLIN CO., OHIO  
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