UNITED STATES DISTRICT COURT

for the District of Arizona

In the Matter of the Search of

INFORMATION ASSOCIATED WITH SNAP INC. USER NAME "heart less92101 and georgebrr" THAT IS STORED AT PREMISES CONTROLLED BY SNAP INC. LOCATED AT 2772 DONALD DOUGLAS LOOP N., SANTA MONICA, CA, 90405.

USAO#: 20201R05642

No. 22-00002MB

SEARCH WARRANT

TO: Any authorized law enforcement officer

Application and Affidavit having been made before me by a federal law enforcement officer, requesting the search of the following \square person or \boxtimes premises known as

See Attachment A, attached and incorporated by reference herein

located in the Central District of California is believed to conceal

See Attachment B, attached and incorporated by reference herein

YOU ARE COMMANDED to execute this warrant on or before ____1/25/2022

I find that the affidavit(s), and/or any recorded testimony, establish probable cause to search and seize the person or property described.

(not to exceed 14 days) in the daytime 6:00 a.m. to 10:00 p.m. at any time in the day or night as I find reasonable cause has been established.

You must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to the United States Magistrate Judge who authorized this warrant.

telephonically signed Sworn electronically. 1/11/2022 12:40 p.m. Date & Time Issued Tucson, Arizona

City and State

ERIC J. MARKOVICH, United States Magistrate Judge

Printed name and title

Case 4:22-mb-00002-EJM Document 1 Filed 01/11/22 Page 2 of 8 SEARCH WARRANT RETURN (REV. 03/13) RETURN Case No.: 22-00002MB DATE AND TIME DATE WARRANT COPY OF WARRANT AND RECEIPT FOR RECEIVED WARRANT EXECUTED ITEMS LEFT WITH INVENTORY MADE IN THE PRESENCE OF INVENTORY OF PERSON OR PROPERTY TAKEN PURSUANT TO THE WARRANT NOT EXECUTED This Warrant was Not Executed. (check this box if the warrant was never executed and leave the sections above blank.) **CERTIFICATION** I declare under penalty of perjury that this inventory is correct and was returned to the designated judge. Date: _____ Executing Officer's Signature

Printed Name and Title

ATTACHMENT A Particular Things to be Searched

This warrant applies to information associated with the following Snapchat account that is stored at premises owned, maintained, controlled, or operated by Snap Inc., 2772 Donald Douglas Loop North, Santa Monica, California, 90405, Snapchat accounts:

heart_less92101

georgebrr

ATTACHMENT B

Particular Things to be Seized

I. Information to be disclosed by Snapchat:

For the period of October 1, 2021, through present, to the extent that the information is within the possession, custody, or control of Snapchat, including any photographs, videos, messages, records, files, logs or information that have been deleted but are still available to Snapchat, or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Snapchat is required to disclose the following information to the government for the **Target Account**:

- (a) All contacts, subscriber information, and personal identifying information, pertaining to the Snapchat account: heart less92101 and georgebrr
 - (b) All activity logs for the account and all other documents showing the user's posts and other Snapchat activities;
 - (c) All photographs and videos, including those uploaded by the aforementioned Snapchat user ID, along with all photos/videos sent to this user via Snapchat, to include any located in Snapchat Stories, Memories, and/or Chats;
 - (d) All other records of communications and messages made or received by the user, including all private messages, chat history and video calling history;
 - (e) All "check-ins" and other location information;
 - (f) All IP logs, including all records of the IP addresses that logged into the account;
 - (g) The length of service (including start date), the types of service utilized by the user, and the means and source of any payments associated with the service (including any credit card or balk account number);
 - (h) Information such as the model, mobile device phone number, identifiers such as MAC

address and IMEI or MEID of devices used to access Snapchat.

(i) All records pertaining to communications between Snapchat and any person regarding the user or the user's Snapchat account, including contacts with support services and records of actions taken.

II. Information to be seized by the government

All information described above in Section I that constitutes evidence, fruits, and/or property designed for use, intended for use, or used in committing violations of Title 21 U.S.C. § 846, including, information pertaining to the following matters and the attempt and conspiracy to engage in such matters:

- (a) Records pertaining to the commission, conspiring, transporting or coordinating of 21 U.S.C. § 846;
- (b) Records of persons employing, using, persuading, inducing, enticing or coercing any person for the act of alien smuggling;
- (c) Records relating to who created or used the Snapchat account, heart_less92101 and georgebrr including, but not limited to, records about their identities and whereabouts including records of session times and durations and log-in IP addresses associated with session times and dates;
- (d) Records relating to who communicated with the Snapchat account heart_less92101 and georgebrr, regarding smuggling of illegal aliens, including, but not limited to, records about their identities and whereabouts including records of session times and durations and log-in IP addresses associated with session times and dates;
- (e) Credit card and other financial information, including, but not limited to, bills and payment records;

(f) Passwords and encryption keys, and other access information that may be necessary to access the account or identifier listed in Attachment A and other associated account.

III. Means of Production by Snapchat

Snap Inc. shall disclose responsive data, if any, in electronic format by sending to Nathan.Enriquez@ice.dhs.gov

CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS RECORDS PURSUANT TO FEDERAL RULE

OF EVIDENCE 902(11)

I,	, attest, under penalties of perjury under the
laws o	of the United States of America pursuant to 28 U.S.C. §1746, that the information
contai	ned in this declaration is true and correct. I am employed by Snap Inc., and my
officia	al title is I am a custodian of records for Snapchat
lnc. I	state that each of the records attached hereto is the original record or a true duplicate of the
origin	al record in the custody of Snap Inc., and that I am the custodian of the attached
record	ls consisting of (pages/CDs/kilobytes). I further state that:
	a. all records attached to this certificate were made at or near the time of the
occuri	rence of the matter set forth, by, or from information transmitted by, a person with
knowl	ledge of those matters;
	b. such records were kept or the ordinary course of a regularly conducted business
activit	ty of Snap Inc.; and
	c. such records were made by Snap Inc. as a regular practice.
	I further state that this certification is intended to satisfy Rule 902(11) of the Federal
Rules	of Evidence.
	Date
	Signature

UNITED STATES DISTRICT COURT

for the District of Arizona

In the Matter of the Search of

INFORMATION ASSOCIATED WITH SNAP INC. USER NAME "heart_less92101 and georgebrr" THAT IS STORED AT PREMISES CONTROLLED BY SNAP INC. LOCATED AT 2772 DONALD DOUGLAS LOOP N., SANTA MONICA, CA, 90405.

USAO#: 2021R05642

No. 22-00002MB

APPLICATION FOR SEARCH WARRANT

I, Nathan Enriquez, a federal law enforcement officer, request a search warrant and state under penalty of perjury that I have reason to believe that \square on the person of or \boxtimes on the premises known as:

See Attachment, attached and incorporated by reference herein

See Attachment, attached and incorporated by reference herein

located in the Central District of California there is now concealed:

The basis for the search under Fed. R. Crim. P. 41(c) is:	
 ⋈ evidence of a crime; □ contraband, fruits of crime, or other items illegally possessed; ⋈ property designed for use, intended for use, or used in committing a crime; □ a person to be arrested or a person who is unlawfully restrained. 	
The search is related to a violation of 21 U.S.C. § 846.	

The application is based on these facts:

See attached Affidavit incorporated by reference herein.

Reviewed by AUSA REBECCA S. GARVEY

REBECCA Digitally signed by STREEGE CARVEY

GARVEY

Digitally signed by REBECCA GARVEY Date: 2022.01.11 10:55:10 -07'00'

Sworn to telephonically and signed electronically.

1/11/2022

Date
Tucson, Arizona
City and State

NATHAN J ENRIQUEZ Digitally signed by NATHAN J ENRIQUEZ Date: 2022.01.11 11:38:36 -07'00'

Applicant's signature

Special Agent Nathan Enriquez, Homeland Security Investigations

Printed name and title

Judge's signature

ERIC J. MARKOVICH, United States Magistrate Judge

Printed name and title

AFFIDAVIT OF SPECIAL AGENT NATHAN ENRIQUEZ

I, Nathan Enriquez, Special Agent with Homeland Security Investigations, being duly sworn, depose and state:

INTRODUCTION AND AGENT BACKGROUND

- 1. I, Nathan Enriquez, am a Special Agent (SA) with Homeland Security Investigations (HSI) assigned to the Office of the Assistant Special Agent in Charge, Sells, Arizona. I have been employed with HSI since January of 2020. Prior to my employment with HSI, I was a Customs and Border Protection Officer (CBPO) from 2012-2020. As a CBPO, I was responsible for enforcing Customs and Immigration laws while targeting high risk travelers and conveyances entering and leaving the United States on the southern border of Arizona.
- 2. I am an "investigative or law enforcement officer of the United States" within the meaning of Title 18, United States Code, Section 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in Title 18, United States Code, Section 2516. I routinely investigate violations of Titles 21, 19, 18, and 8 of the U.S.C., as well as various other federal law violations. Working with other federal, state, local and foreign law enforcement and civilian agencies has become an integral part of my daily operations.

PURPOSE OF THIS AFFIDAVIT

3. This affidavit is made in support of an application for a search warrant for information associated with Snapchat username account: heart_less92101 and georgebrr which is stored at premises owned, maintained, controlled or operated by Snap Inc., ("Snapchat") a social networking company, headquartered at 2772 Donald Douglas Loop North, Santa Monica, California, 90405. This affidavit is made in support of an application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A) to require Snapchat to disclose to the Government records and other information in its possession, pertaining to the subscriber or customer associated with the Snapchat username account: heart_less92101 and georgebrr described in Attachment A, including the contents of communications, more particularly described in Attachment B.

- 4. The statements contained in this affidavit are based in part on information provided by Special Agents with Homeland Security Investigations, information gathered from independent investigations and analysis by HSI Special Agents/Analysts, and my experience, training, and background. Since this affidavit is being submitted for the limited purpose of securing a search warrant, I have not included each and every fact known to me concerning his investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that evidence, fruits, and/or property designed for use, intended for use, or used in committing violations of 21 U.S.C. § 846 (conspiracy to distribute controlled substances) have been committed, are being committed, and will be committed by the unknown conspirators, is located on Snapchat servers, as more specifically detailed in Attachment A. Based on my background, training, and experience, I know that individuals who are involved in narcotic smuggling often do the following:
- 5. Use cellular telephones and laptops to arrange, coordinate, and monitor criminal activities including communicating with smugglers, arrangers, and other transporters/drivers. They also use these devices to communicate with these same individuals during counter surveillance activities, to warn other co-conspirators of the presence of law enforcement or other obstacles to their criminal plans;
- 6. Use cellular telephones and laptops to contact financial institutions where they launder their proceeds or receive monies for payment for their role in the scheme, and to contact individuals who sell/rent real estate, vehicles, or hotel rooms, restaurants or other facilities the smuggler uses in the course of his illegal activities;
- 7. Use all the communication technologies available within the particular cellular telephone and laptop, including voice messaging, texting, audio communication, direct dial, pushto-talk, emailing, internet access, speed dial, photo and video images, and contact lists containing contact information for their criminal associates to accomplish their criminal activities;
- 8. Use multiple cellular telephones and often change cellular telephones to avoid detection by law enforcement;

- 9. Use cellular telephones to store and maintain contact lists containing the names, nicknames, telephone numbers, e-mail addresses and social media profile identifiers of other criminal associates; communicate with other criminal associates by voice, e-mail, and text message, as well as third-party applications such as WhatsApp, and Snapchat,; record, store, and share with other criminal associates, including through the use of third-party applications, photographs, videos, and other evidence of illicit activity such as photographs of vehicles, to ensure that the aliens find the vehicle that they are supposed to be transported by; and to utilize all available Global Positioning System ("GPS") functions, including navigation and mapping, which GPS data then may be recorded and stored. I also know that the recent trend is for Narcotic Smuggling Organizations (NSOs) to use WhatsApp due to its encryption feature and the consequent inability of law enforcement to intercept messages in real time; and the use of Snapchat to advertise and recruit drivers to transport narcotics from border regions to cities located north of established checkpoints.
- 10. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.
- 11. Based on my training and experience and the facts as set forth in this affidavit, I respectfully submit that there is probable cause to believe that violations of 21 U.S.C. § 846 have been committed by Alyssa NAVARRO (hereinafter referred to as NAVARRO) and other known and unknown co-conspirators. I further submit that there is probable cause to search the information described in Attachment A for evidence, fruits, contraband, and instrumentalities of the foregoing crimes, as further described in Attachment B.

BACKGROUND ON SNAPCHAT

12. Snapchat is an image messaging and multimedia mobile application. One of the principal concepts of Snapchat is that pictures and messages are only available for a short time before they become inaccessible. A Snapchat user can take photos and videos and then choose which friends will receive the photo or video message. Once the content is sent and opened by the

recipient, the photo or video will be deleted from the user's device after a certain amount of time, unless the user opts to save it. Snapchat users are able to save the photos or videos to their device or to "Memories," which is Snapchat's cloud-storage device.

- 13. Snapchat users can also add photo or video "Snaps" to their "Story." Based upon the users' privacy settings, these images can be viewed by all "Snapchatters," or just by the users' friends for up to 24 hours. "Stories" can also be saved in "Memories."
- 14. Snapchat users can further send typed messages, photos, and videos to specific friends within the Snapchat app utilizing the "Chat" feature. A user can save part of the chat by tapping on the message they want to keep.
- 15. Social networking providers like Snapchat typically retain basic subscriber information, to include, email addresses, phone numbers, account creation date, IP (Internet Protocol) timestamps and IP addresses of account logins and logouts, length of service (including start date), and the means and source of any payments associated with the service (including any credit card or bank account number). In some cases, users may communicate directly about issues relating to their account, such as technical problems, billing inquiries, or complaints from other users. Social networking providers like Snapchat typically retain records about such communications, including records of contacts between the user and the provider's support services, as well as records of any actions taken by the provider or user as a result of the communications. Under certain circumstances, these providers may also retain content from their servers, such as sent messages, photos, and/or videos.
- 16. Snapchat stores device information such as the model, operating system, operating system version, mobile device phone number, and mobile network information of devices used in conjunction with the service. They also collect unique device identifiers such as the Media Access Control (MAC) address and the International Mobile Equipment Identifier (IMEI) or Mobile Equipment Identifier (MEID) of devices used to access Snapchat. In the event the Snapchat users' application crashes, the company also collects a list of other installed applications on the device to detect any potential software conflicts.

17. Therefore, the computers and servers of Snapchat are likely to contain all the aforementioned information, including stored electronic communications, photographs, and information concerning subscribers and their use of Snapchat, such as account access information, transaction information and account application.

JURISDICTION

18. This Court has jurisdiction to issue the requested warrant because it is "a court of competent jurisdiction" as defined by 18 U.S.C. § 2711, 18 U.S.C. §§2703(a), (b)(l)(A) & (c)(1)(A). Specifically, the Court is "a district court of the United States . . . that has jurisdiction over the offense being investigated." 18 U.S.C. § 2711(3)(A)(i). As discussed more fully below, the acts or omissions in furtherance of the offenses under investigation occurred and are occurring within the District of Arizona. See 18 U.S.C. § 3237.

PROBABLE CAUSE

- 19. On November 23, 2021, NAVARRO applied for entry into the United States at the Lukeville, Arizona (AZ) Port of Entry (POE). NAVARRO was the sole occupant of a red 2001 Jeep Cherokee. Customs and Border Protection Officers inspected NAVARRO's vehicle. They noticed a white crystal-like substance. A Gemini narcotics test was conducted on the residue and tested positive for the properties of methamphetamine. A total of 57.82 kg of liquid methamphetamine were removed and stored in a sealed container.
- 20. HSI Special Agent (SA) Nathan Enriquez and HSI Task Force Officer (TFO) Jose Elias conducted a post-*Miranda* custodial interview with NAVARRO. She stated that in approximately January 2021, she met a man with the username "georgebrr" (hereinafter, "George") through Grand Theft Auto, an online gaming platform. NAVARRO and "George" eventually exchanged Snapchat information (heart_less92101 and georgebrr) and learned that they both live in the Phoenix area. NAVARRO and "George" met in person approximately six or seven times to "smoke." NAVARRO stated that when they met in person "George" would always pick her up from where she was staying.
- 21. NAVARRO stated that "George" randomly messaged her through Snapchat one day asking if she wanted to make money and work as a "runner" to transport merchandise, such

as electronics, from Phoenix, Arizona, to Mexico. "George" explained to NAVARRO that he works for a man named "Alfredo" in this capacity. "George" further explained to NAVARRO that she would be moving merchandise such as electronics, that would eventually be sold in Mexico. George explained to NAVARRO that she would be paid anywhere from \$1,000 - \$2,000 USD, depending on the size of the "load".

- 22. On November 22, 2021, NAVARRO took the shuttle bus from Phoenix to Sonoyta, Mexico, and arrived in the late evening. "Alfredo," paid for her shuttle ticket and paid for an UBER to pick her up at her house and take her to the bus station. On the evening of November 22, 2021, NAVARRO texted "Alfredo" letting him know she arrived in Sonoyta. "Alfredo" picked up NAVARRO in the red Jeep Cherokee (that she was driving on the day of her arrest) and they went out to dinner. During this meeting, "Alfredo" explained that NAVARRO would be bringing merchandise once a week, such as TVs and electronics, from Phoenix, AZ, to Mexico. "Alfredo" later dropped off NAVARRO at a hotel that was paid for by "Alfredo."
- 23. On November 23, 2021, at approximately 1200 hours, "Alfredo" picked up NAVARRO in the red Jeep Cherokee from the hotel and went out to eat breakfast. "Alfredo" instructed NAVARRO to drop him off at a house in Sonoyta before she left to the U.S./Mexico border.
- 24. On December 7, 2021, HSI Special Agent (SA) Nathan Enriquez conducted an analysis of the content extracted from Navarro's cellphone which revealed US telephone number (480) 849-0242 belonging to NAVARRO. Snapchat messages between NAVARRO (heart_less92101) and contact username (georgebrr) revealed the following conversation:

Message Sender- Message Receiver

10/31/2021 8:07 PM- "George"-NAVARRO- This might not sound normal but do you know anyone who wants to make money been a driver Mexico to here lots of money you can make some to if you find someone even if they don't have a car will most likely get the one in there name.

10/31/2021 8:28 PM- NAVARRO- "George"- If I had a driver's license, I would cuz I could use the money tbh.

10/31/2021 8:49 PM- "George"-NAVARRO- we can help you, you do so many jobs you can keep the truck, it will be under your name, so you can practically have it as long as four with us 10/31/2021 8:56 PM- "George"- NAVARRO- Ok if we help you do that would you be in 100% I can make you a lot of money its not a everyday thing only when called upon.

25. Investigative measures have revealed that Alyssa NAVARRO is currently active on the social media platform, Facebook. A Snapchat preservation request was submitted on December 8, 2021, by SA Nathan Enriquez for Snapchat identifier(s) **heart_less92101** and will be retained for 90 days. A Snapchat preservation request was submitted on January 6, 2022, for Snapchat identifier **georgebrr** and will be retained for 90 days.

INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED

26. I anticipate executing this warrant under the Electronic Communications Privacy Act, in particular 18 U.S.C. § 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A), by using the warrant to require Snapchat to disclose to the government copies of the records and other information (including the content of communications) particularly described in Section I of Attachment B. Upon receipt of the information described in Section I of the Attachment B, government-authorized persons will review that information to locate the items described in Section II of Attachment B.

- 27. Because the warrant will be served on Snapchat, who will then compile the requested records at a time convenient to it, there exists reasonable cause to permit the execution of the requested warrant at any time in the day or night.
- 28. Pursuant to 18 U.S.C. § 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant.

CONCLUSION

29. Based upon the facts set forth in this affidavit and upon my experience and training, I believe that there is now probable cause to believe that the items listed in Attachment A to be seized constitute evidence of a crime, fruits of a crime and/or property designed for use, intended for use, or used in committing the crimes set forth above, and that such items are contained in the **Target Account**.

I swear, under penalty of perjury, that the foregoing is true and correct.

NATHAN J ENRIQUEZ Digitally signed by NATHAN J ENRIQUEZ
Date: 2022.01.11 11:41:01

Nathan James Enriquez, Special Agent Homeland Security Investigations

Sworn to telephonically and signed electronically

Before me this 11th day of January 2022

HONORASLE ERIC J. MARKOVICH UNITED STATES MAGISTRATE JUDGE

ATTACHMENT A Particular Things to be Searched

This warrant applies to information associated with the following Snapchat account that is stored at premises owned, maintained, controlled, or operated by Snap Inc., 2772 Donald Douglas Loop North, Santa Monica, California, 90405, Snapchat accounts:

heart_less92101

georgebrr

ATTACHMENT B

Particular Things to be Seized

I. Information to be disclosed by Snapchat:

For the period of October 1, 2021, through present, to the extent that the information is within the possession, custody, or control of Snapchat, including any photographs, videos, messages, records, files, logs or information that have been deleted but are still available to Snapchat, or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Snapchat is required to disclose the following information to the government for the **Target**

Account:

- (a) All contacts, subscriber information, and personal identifying information, pertaining to the Snapchat account: heart_less92101 and georgebrr
 - (b) All activity logs for the account and all other documents showing the user's posts and other Snapchat activities;
 - (c) All photographs and videos, including those uploaded by the aforementioned Snapchat user ID, along with all photos/videos sent to this user via Snapchat, to include any located in Snapchat Stories, Memories, and/or Chats;
 - (d) All other records of communications and messages made or received by the user, including all private messages, chat history and video calling history;
 - (e) All "check-ins" and other location information;
 - (f) All IP logs, including all records of the IP addresses that logged into the account;
 - (g) The length of service (including start date), the types of service utilized by the user, and the means and source of any payments associated with the service (including any credit card or balk account number);
 - (h) Information such as the model, mobile device phone number, identifiers such as MAC

address and IMEI or MEID of devices used to access Snapchat.

(i) All records pertaining to communications between Snapchat and any person regarding the user or the user's Snapchat account, including contacts with support services and records of actions taken.

II. Information to be seized by the government

All information described above in Section I that constitutes evidence, fruits, and/or property designed for use, intended for use, or used in committing violations of Title 21 U.S.C. § 846, including, information pertaining to the following matters and the attempt and conspiracy to engage in such matters:

- (a) Records pertaining to the commission, conspiring, transporting or coordinating of 21 U.S.C. § 846;
- (b) Records of persons employing, using, persuading, inducing, enticing or coercing any person for the act of alien smuggling;
- (c) Records relating to who created or used the Snapchat account, heart_less92101 and georgebrr including, but not limited to, records about their identities and whereabouts including records of session times and durations and log-in IP addresses associated with session times and dates;
- (d) Records relating to who communicated with the Snapchat account heart_less92101 and georgebrr, regarding smuggling of illegal aliens, including, but not limited to, records about their identities and whereabouts including records of session times and durations and log-in IP addresses associated with session times and dates;
- (e) Credit card and other financial information, including, but not limited to, bills and payment records;

(f) Passwords and encryption keys, and other access information that may be necessary to access the account or identifier listed in Attachment A and other associated account.

III. Means of Production by Snapchat

Snap Inc. shall disclose responsive data, if any, in electronic format by sending to Nathan.Enriquez@ice.dhs.gov