

REDACTED 353 JS

STATE OF COLORADO)
)
COUNTY OF ARAPAHOE)

SS: RETURN AND INVENTORY

Filed

DEC 14 2012

The undersigned officer, being sworn says:

CLERK OF THE COMBINED COURT
ARAPAHOE COUNTY, COLORADO

On July 23rd, 2012, I duly executed the within Search Warrant by taking into my possession from the place named in said Warrant, certain property, and the following is a true, complete and correct Inventory of the property as taken:

See attached Property Invoice.

SUPPRESSED

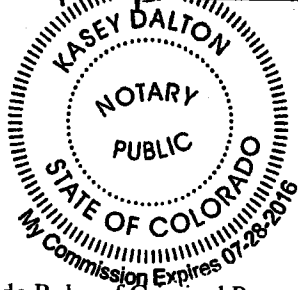
Tom Sobieski

(Signature of Officer)

SUBSCRIBED AND SWORN/AFFIRMED TO before me by Tom Sobieski
this 14 day of December, 2012.

Kasey Dalton
Notary Public

My Commission expires: 7/23/2014



Clerk of the _____ Court

By: _____
Deputy Clerk

*According to fact
See Rule 41(c)(d), Colorado Rules of Criminal Procedure.

RECEIPT

On December 15th, 2012, the item listed was received in the foregoing Inventory.

Tom Sobieski

(Signature of Officer)

**AURORA POLICE DEPARTMENT
NON-SERIALIZED PROPERTY REPORT**

CASE REPORT NO.

2012-28181

X

CONNECTING CASE NO.

FEL
MIS

COURT: ARAP ADAMS MUNI

NCIC Classification: **HOMICIDE**

E: 1 VICTIM 3 ARRESTEE 5 REPORTING PARTY 15 FINDER 16 OWNER

EVIDENCE YES NO

ROLE: 3 NAME **JAMES E. HOLMES** PHONE

ADDRESS (Include Zip Code)

ROLE: NAME ADDRESS (Include Zip Code) PHONE

RECOVERED FROM WHERE RECOVERED

Use codes from back of 2nd page for items below:

ITEM #	STATUS	CODE	TYPE	ITEM - BRAND / MAKE, MODEL, COLOR, DESCRIPTION, ETC.	TOTAL VALUE EACH LINE	QUANTITY
188	6	77	Y	SIX BUCCAL SWABS FROM JAMES HOLMES	-	6
189	6	27	E	DVD - FINDINGS FROM COMPUTER PROCESSING BY LEICOR	-	1
HOMICIDE						

DATE NARRATIVE TIME

**BUCCAL SWABS PER RULE 16
EXECUTED ON 10.01.12 BY
FYLES, APPEL & WEIKER**

DRUG TYPE CODES:
A - "Crack" Cocaine
B - Cocaine
C - Hashish
D - Heroin
E - Marijuana
F - Morphine
G - Opium
H - Other Narcotics
I - LSD
J - PCP
K - Other Hallucinogens
L - Amphetamines / Methamphetamines
M - Other Stimulants
N - Barbiturates
O - Other Depressants
P - Other Drugs
Q - Unknown

DRUG FORM:
A - Block
B - Liquid
C - Plant
D - Powder
E - Rock
F - Sheet
Z - Other

DRUG MEASURE CODES:
GM - Gram
KG - Kilogram
OZ - Ounce
LB - Pound
ML - Milliliter
LT - Liter
GL - Gallon
DU - Dosage Units (Pills)
NP - Number of Plants

ITEM NO.	STATUS	DRUG TYPE	DRUG FORM	DRUG QUANTITY	DRUG MEASURE
H-12					

Officer's Signature: *[Signature]* Officer's Name PRINTED: **M. FYLES** ID Number: **26218** District: **MCHU** Watch: Supervisor ID & Initials: Date: **10.05.12**

PROPERTY RECEIVED FROM: **0 8 OCT '12 S K**

SUPPRESSED

355

COUNTY/DISTRICT COURT
ARAPAHOE COUNTY, COLORADO
Court Address: Arapahoe County Justice Center
7325 S. Potomac St., Centennial, CO 80112
THE PEOPLE OF THE STATE OF COLORADO

Filed in
Division

JUL 20 2012

DOUGLAS COMBINED COURTS

COURT USE ONLY

vs

JAMES E. HOLMES,
Defendant.

Attorney:
CAROL CHAMBERS, 18th Judicial District Attorney
6450 S. Revere Pkwy., Centennial, CO 80112
Phone: (720) 874-8500
Atty. Reg. #: 14948

Case Number:

ORDER TO SEAL SEARCH WARRANTS, AFFIDAVITS, ORDERS AND CASE FILE

THIS COURT, being fully advised in the premises,

ORDERS that the ORDERS, SEARCH WARRANTS, AFFIDAVITS AND CASE FILE, be Sealed from Public Inspection and remain sealed until further order of either this Court or any Court with jurisdiction over any subsequently filed charges.

DONE IN COURT this 20th day of July, 2012.

BY THE COURT:

Judge



SUPPRESSED

DISTRICT COURT, COUNTY OF ARAPAHOE, STATE OF COLORADO
CASE NO. _____ DIVISION _____

Filed
JUL 24 2012

CLERK OF THE COMBINED COUNTY
ARAPAHOE COUNTY, COLORADO

SEARCH WARRANT
THE PEOPLE OF THE STATE OF COLORADO:

TO: Any Officer authorized by law to execute a search warrant in the County wherein the property is located.

Detective Tom Sobieski #13669, having this date filed an Affidavit for Search Warrant with the provisions of Colorado Rules of Criminal Procedure, 41(b) and (c), for the following described property:

Any and all Information and data stored within the 10 listed items,

Including any and all Information relating to any written documents, diaries, memoirs, journals, notes, letters, memorandums, address/phone number listings, training records, certificates, photographs, videos, audio recordings, sent and received e-mails, chat line logs and communications, Internet web sites visited, Internet history, financial transactions detail, online purchases, user/owner identifications, computer registration information, and passwords whether or not these any of these items have been encrypted, password protected, previously deleted, or privatized to deny access in any other manner by any prior operator of the computer.

Any and all computer programs or software used in the operation of the computer system, used to transmit or receive information, used to display or print graphics or other types of files, and all other computer programs and software associated with the computer system to include all programs stored on the computer or other storage media.

Any and all correspondence, electronic mail (e-mail), letters, notes, memorandum, or other communications in written or oral form, stored on the listed items.

Any and all documents which serve the purpose of explaining the way in which the computer hardware, programs and data are used, including manuals for computer equipment or software, printouts of computer programs, data files or other information which has been or continues to be stored electronically or magnetically in the computer system.

Any and all computer programs or software used in the operation of the computer system, used to transmit or receive information, used to display or print graphics or other types of files, and all other computer programs and software associated with the computer system to include all programs stored on the computer or other storage media.

Said property is believed to be situated at the place described as:

- 1) **Black NZXT eCyberpower tower PC, model number: 8C-T2NL1-WWR, serial number: C11420301361; containing one Seagate 2TB HDD, model number: ST2000DM001, serial number: W2402PJS. (FBI evidence marked item: 1)**
- 2) **Black Lenovo tower PC, model number: IdeaCentre K230, serial number: SS09244663; containing one Western Digital 640 GB HDD, model number:**

WD6400AAKS, serial number: WMASY4742554. (FBI evidence marked item: 5)

- 3) Silver *Toshiba* laptop, model number L505D, serial number: 1A029002Q; containing one Toshiba 250 HDD, model number: MK2555GSX, serial number: Z98FCGA2T, with power adapter. (FBI evidence marked item: 11)**
- 4) Black *LePan* tablet PC, model number: TC970, serial number: no serial number visible; containing one 2GB SanDisk Micro SD Flash card, one box labeled with the TC970 serial number ZBTC976DFL12191 and also containing charging adapter. (FBI evidence marked item: 3 & 83)**
- 5) Black and gray metal, unknown manufacture, unknown size, USB thumb drive labeled with "Denver Anshutz Medical Campus Graduate School, ucdenver.edu/graduateschool." (FBI evidence marked item: 88)**
- 6) Black *Motorola* cable modem, model number: SB5101, serial number: 166958915902902401011107. (FBI evidence marked item: 32)**
- 7) Black USB *Netgear* wireless network adapter, model number: PTVU1000, serial number: 2RT1194M00EAB. (FBI evidence marked item: 2)**
- 8) Black USB *Netgear* Push2TV wireless adapter base unit, model number: PTVU1000, serial number: 2RT1194M00EAB (Note: Unit has same model number and serial number as previous listed item but is actually a different evidence item); containing one Black USB *Netgear* wireless network adapter, model number: PTVU1000, serial number: 2RT1194M00EAB. (FBI evidence marked item: 42)**
- 9) Black *DANE ELEC* 500 MB USB thumb drive, unknown model number or serial number. (FBI evidence marked item: 96)**
- 10) Gray and red *PNY* 256 MB, model Attache USB thumb drive, no serial number. (FBI evidence marked item: 96)**

Currently being held as evidence at the Aurora Police Department Crime Laboratory, 15001 E. Alameda Parkway, Aurora, CO 80012

Upon one or more grounds as set forth in Rule 41(b), Colorado Rules of Criminal Procedure, namely: is designed or intended to use or which is or has been used as a means of committing a criminal offense and would be material evidence in a subsequent criminal prosecution;

The name of the person whose affidavit has been taken in support hereof is Detective Tom Sobieski and as I am satisfied that grounds for the application exist, or that there is probable cause to believe that they exist, and that the property is located in the premises above described.

You are therefore commanded to search forthwith the property and the return thereof be made to the judge or clerk of the court issuing the warrant within 10 days of the date hereof, and to deliver to the person from whom the property is taken or from whose premises the property is taken a copy of this warrant together with a receipt for the property taken, or in lieu thereof, to leave the copy and receipt at the place from which

the property is taken; and to deliver to the Clerk of the court a written inventory of the property with the RETURN OF THIS WARRANT.

Dated on July 23, 2012, at Arapahoe County.
9:07 p.m.

Kurt G. Husted
JUDGE DISTRICT COURT Judge

AFFIDAVIT FOR SEARCH AND SEIZURE WARRANT

Re: Holmes, James dob:12/13/1978

APD Case Number: 12-28181

DISTRICT/COUNTY COURT, COUNTY OF ARAPAHOE, STATE OF COLORADO
CASE NO. _____ DIVISION _____

APPLICATION AND AFFIDAVIT FOR SEARCH AND SEIZURE WARRANT

I, Detective Tom Sobieski #13669, Affiant herein, being of lawful age and having been first duly sworn upon oath, depose and state that your affiant is a commissioned police officer with the Aurora Police Department, and your affiant has probable cause to believe that there is located at the place described as:

- 1) **Black NZXT eCyberpower tower PC, model number: 8C-T2NL1-WWR, serial number: C11420301361; containing one Seagate 2TB HDD, model number: ST2000DM001, serial number: W2402PJS. (FBI evidence marked item: 1)**
- 2) **Black *Lenovo* tower PC, model number: IdeaCentre K230, serial number: SS09244663; containing one Western Digital 640 GB HDD, model number: WD6400AAKS, serial number: WMASY4742554. (FBI evidence marked item: 5)**
- 3) **Silver *Toshiba* laptop, model number L505D, serial number: 1A029002Q; containing one Toshiba 250 HDD, model number: MK2555GSX, serial number: Z98FCGA2T, with power adapter. (FBI evidence marked item: 11)**
- 4) **Black *LePan* tablet PC, model number: TC970, serial number: no serial number visible; containing one 2GB SanDisk Micro SD Flash card, one box labeled with the TC970 serial number ZBTC976DFL12191 and also containing charging adapter. (FBI evidence marked item: 3 & 83)**
- 5) **Black and gray metal, unknown manufacture, unknown size, USB thumb drive labeled with "Denver Anshutz Medical Campus Graduate School, ucdenver.edu/graduateschool." (FBI evidence marked item: 88)**
- 6) **Black *Motorola* cable modem, model number: SB5101, serial number: 166958915902902401011107. (FBI evidence marked item: 32)**
- 7) **Black USB *Netgear* wireless network adapter, model number: PTVU1000, serial number: 2RT1194M00EAB. (FBI evidence marked item: 2)**
- 8) **Black USB *Netgear* Push2TV wireless adapter base unit, model number: PTVU1000, serial number: 2RT1194M00EAB (Note: Unit has same model number and serial number as previous listed item but is actually a different evidence item); containing one Black USB *Netgear* wireless network adapter, model number: PTVU1000, serial number: 2RT1194M00EAB. (FBI evidence marked item: 42)**
- 9) **Black *DANE ELEC* 500 MB USB thumb drive, unknown model number or serial number. (FBI evidence marked item: 96)**
- 10) **Gray and red *PNY* 256 MB, model Attache USB thumb drive, no serial number.**

(FBI evidence marked item: 96)

Currently being held as evidence at the Aurora Police Department Crime Laboratory, 15001 E. Alameda Parkway, Aurora, CO 80012

the following property, which has been used to commit a crime or is illegal to possess, and would be material evidence in a subsequent criminal prosecution. My reasons for this belief follow the description of the property below:

Any and all information and data stored within the 10 listed items.

Including any and all information relating to any written documents, diaries, memoirs, journals, notes, letters, memorandums, address/phone number listings, training records, certificates, photographs, videos, audio recordings, sent and received e-mails, chat line logs and communications, Internet web sites visited, Internet history, financial transactions detail, online purchases, user/owner identifications, computer registration information, and passwords whether or not these any of these items have been encrypted, password protected, previously deleted, or privatized to deny access in any other manner by any prior operator of the computer.

Any and all computer programs or software used in the operation of the computer system, used to transmit or receive information, used to display or print graphics or other types of files, and all other computer programs and software associated with the computer system to include all programs stored on the computer or other storage media.

Any and all correspondence, electronic mail (e-mail), letters, notes, memorandum, or other communications in written or oral form, stored on the listed items.

Any and all documents which serve the purpose of explaining the way in which the computer hardware, programs and data are used, including manuals for computer equipment or software, printouts of computer programs, data files or other information which has been or continues to be stored electronically or magnetically in the computer system.

Any and all computer programs or software used in the operation of the computer system, used to transmit or receive information, used to display or print graphics or other types of files, and all other computer programs and software associated with the computer system to include all programs stored on the computer or other storage media.

Your affiant is a commissioned police officer with the Aurora Police Department, currently assigned to the Major Crime/Homicide Unit, whose duties are to investigate homicide cases within the City of Aurora. The information contained in this affidavit was personally obtained by your affiant by talking with witnesses and officers of the Aurora Police Department, and reviewing official Aurora Police Department reports Case Number 12-28181.

Your affiant informs the court that on July 20, 2012 at approximately 12:39 A.M., the Aurora Police Dispatch Center received several 911 calls reporting multiple gunshots being fired inside the Century 16 Theatres at 14300 East Alameda Avenue, Aurora, Arapahoe County, Colorado.

AFFIDAVIT FOR SEARCH AND SEIZURE WARRANT

Re: Holmes, James dob:12/13/1978

APD Case Number: 12-28181

Numerous callers indicated that there were explosions and gunshots inside auditorium #9 and that several people had been shot and injured.

At approximately 12:40 A.M., numerous officers from the Aurora Police Department arrived on scene.

Your affiant advises that Officer Jason Sweeney #300364 arrived on scene and parked his vehicle to the south of the building where he was met by Officer Jason Oviatt #301013. These officers then observed a white Hyundai, displaying Colorado registration 119-ROC parked on the east side the building directly next to the emergency exit for auditorium #9. This vehicle was parked facing the building and a male party was standing outside the vehicle on the driver side. The driver side front door was open.

Officer Sweeney observed this male wearing what appeared to be ballistic protection, including a ballistic helmet and gas mask. Officer Sweeney initially believed that this person was a police officer but observed that the gas mask appeared to be an older version of the type that is currently utilized by the police. At this time Officers Sweeney and Oviatt directed this male to raise his hands, which he did. This male, who was taken into custody without incident and was identified by a Colorado Drivers License as James Holmes Dob: 12/13/1987.

Officer Oviatt stated that upon Holmes' arrest he was asked if there was anybody else involved and Holmes' advised that there was not. Holmes informed Officer Oviatt that the address on his license was his correct address (1690 Paris Street, #10, Aurora, CO) and that there were bombs inside his apartment that would go off if the wires were tripped.

Officers from the Aurora Police SWAT Team responded to 1690 Paris Street and immediately secured the apartment building.

As Holmes was being taken into custody, Officer Sweeney observed a black semi-auto pistol with a green laser sight on the roof of the Hyundai. Your affiant advises the following items were removed from Holmes during his arrest: a pair of black military style boots, a black coat, black body armor, a black ballistic helmet, a gas mask, a magazine carrier with nine magazines containing live rounds, a magazine for a pistol and a green colored plastic doorstop. A black assault type rifle was on the ground directly outside the emergency exit door near where the Hyundai was parked.

Your affiant observed a great deal of blood on the sidewalk outside the emergency exit door as numerous victims exited the theatre through this door.

Additional officers responded to the theatre and entered auditorium # 9 where they located ten victims deceased. A black Remington 12 gauge pump action shotgun was on the floor several feet inside the theatre's emergency exit door along with six empty shotgun shell casings.

Detective Mark Yacano #15678 observed a green colored plastic doorstop was attached to the emergency exit door. This item appeared to be similar to the plastic doorstop located among Holmes' property upon his arrest.

Detective Yacano also observed two .40 caliber handgun magazines on the floor beside the shotgun, and several empty rifle shell casings on the floor. All of these items were observed on the floor at the front of the theatre.

AFFIDAVIT FOR SEARCH AND SEIZURE WARRANT

Re: Holmes, James dob:12/13/1978

APD Case Number: 12-28181

Detective Yacano observed three additional rifle magazines that appeared to still have live rounds, a 90 round "Beta Mag" magazine and another .40 caliber handgun magazine on the floor leading towards the lobby of the theatre on the west side of the seating area.

Your affiant advises that ten parties were pronounced deceased inside the theatre. Twenty individuals who were shot were transported to University Hospital; with one deceased. Six individuals who were shot were transported to Denver Health Hospital; twelve individuals who were shot were transported to The Medical Center of Aurora. Six individuals who were shot were transported to Children's Hospital, with one deceased. Two victims who were shot were transported to Parker Adventist Hospital and another shooting victim was transported to Swedish Medical Center.

Your affiant advises Deputies from the Arapahoe County Sheriff's Office Bomb Squad responded and utilizing an explosive removal robot, removed items from the Hyundai. Included among these items were two rifle cases, a pair of black gloves and a second black semi-auto pistol in a holster.

Holmes was transported to an interview room located on the third floor of police headquarters where the Detective's Craig Appel #18562 and Chuck Mehl #16848 met with him. Holmes was advised of his rights per Miranda. Holmes requested an attorney at which time the interview was concluded.

Holmes was processed into the Aurora City Jail and during that processing he advised his address was 1690 Paris Street, #10, Aurora, CO. 80010.

Detective Yacano spoke with Corbin Dates Dob: 07/12/1989 who advised that he was inside the theatre when this incident took place. Dates stated that he entered the theatre at approximately 11:30 P.M. and sat in the second row from the bottom near the emergency door. Dates stated he observed a male enter the theatre and sit in the first row in the end seat closest to the emergency door. Dates stated that he observed this male put his cell phone up to his ear as if he was receiving a phone call and go to the emergency door and prop the door open while he talked on the phone.

Dates stated that he (Dates) received a phone call and went to the lobby to meet a friend and when he returned to his seat this unknown male was no longer seated in the first row.

Dates advised that he then observed a party enter the theatre through the emergency door wearing a gas mask along with body armor. Dates stated that this party then threw a gas canister towards the seats at which time Dates said he got on the ground then he began to hear gunfire.

Detective Tom Wilson informed your affiant that he spoke with Special Agent Jeff Russell from ATF. Agent Russell provided Detective Wilson with firearms trace reports from the ATF database on the weapons recovered from the scene. Detective Wilson informed your affiant that James Holmes purchased a Glock model 22, .40 caliber pistol at the Gander Mountain store located in Aurora. Detective Wilson informed your affiant that ATF discovered that James Holmes purchased a Remington model 870, tactical shotgun on May 28, 2012 from the Bass Pro Shops located in Denver. Detective Wilson informed your affiant that James Holmes purchased a Smith and Wesson .223 caliber assault rifle from the Gander Mountain store

AFFIDAVIT FOR SEARCH AND SEIZURE WARRANT

Re: Holmes, James dob:12/13/1978

APD Case Number: 12-28181

located in Thornton on June 7, 2012. Detective Wilson informed your affiant that James Holmes purchased a Glock model 23, .40 caliber pistol from Bass Pro Shops located in Denver on July 6, 2012.

On July 20th, 2012 FBI Agent Toni Payne located a black Apple iPhone cellular telephone believed to belong to James Holmes inside the 2000 Hyundai parked on the east side of the theatre. Agent Payne collected this phone as evidence.

Detective Yacano authored a search warrant for this iPhone which was approved by the honorable Arapahoe County District Court Judge Kurt Horton.

Aurora Police Computer Forensic Examiner Detective Mike Lieker conducted a forensic exam on the iPhone. The device information showed the iPhones owners name as "Jame's iPhone" and that the phone was sync'd with a computer named "JAMES-PC".

Your affiant reviewed a few of the images from the iPhone. Image "img_0073.JPG" is a photograph of James Holmes wearing a black tactical vest holding an assault rifle. This image was captured on 07/05/2012. Image "img_0077.JPG" shows a photograph of the rear of the Century Theatre. This image was captured 07/05/2012. Image "img_0105.JPG" is a photograph of a white bowl that appears to contain gunpowder sitting next to a jar containing a liquid with wire leads coming out. This image was captured on 07/16/2012. Image "IMG_0112.JPG" shows James Holmes holding a black colored semi automatic pistol. This image was captured on 07/20/2012. Image "IMG_0109.JPG" is a photograph showing a gas mask, an assault rifle, a shotgun, a black tactical vest and other items. This image was captured 07/19/2012.

Your affiant advises that on July 20th, 2012 Detective Yacano authored a search warrant for 1690 Paris Street, #10, which was approved by the honorable Arapahoe County District Court Judge William Sylvester.

The warrant authorized the seizure of the following items:

Electronic data processing and storage devices, computers, and computer systems, including central processing units; internal and peripheral storage devices, such as fixed disks, external hard disks, floppy disk drives, and diskettes, tape drives and tapes, optical storage devices or other memory storage devices; peripheral input/output devices, such as keyboards, printers, video display monitors, optical readers, and related communication devices, such as modems; together with system documentation, operating logs, and documentation, software and instruction manuals.

Your affiant advises that on July 21st, 2012 Detective Wilson entered 1690 Paris Street and seized the following items and they are currently located at the Aurora Police Department Crime Laboratory, 15001 E. Alameda Parkway, Aurora, CO 80012.

1. Black NZXT eCyberpower tower PC, model number: 8C-T2NL1-WWR, serial number: C11420301361; containing one Seagate 2TB HDD, model number: ST2000DM001, serial number: W2402PJS. (FBI evidence marked item: 1)

AFFIDAVIT FOR SEARCH AND SEIZURE WARRANT**Re: Holmes, James dob:12/13/1978****APD Case Number: 12-28181**

2. Black *Lenovo* tower PC, model number: IdeaCentre K230, serial number: SS09244663; containing one Western Digital 640 GB HDD, model number: WD6400AAKS, serial number: WMASY4742554. (FBI evidence marked item: 5)
3. Silver *Toshiba* laptop, model number L505D, serial number: 1A029002Q; containing one Toshiba 250 HDD, model number: MK2555GSX, serial number: Z98FCGA2T, with power adapter. (FBI evidence marked item: 11)
4. Black *LePan* tablet PC, model number: TC970, serial number: no serial number visible; containing one 2GB SanDisk Micro SD Flash card, one box labeled with the TC970 serial number ZBTC976DFL12191 and also containing charging adapter. (FBI evidence marked item: 3 & 83)
5. Black and gray metal, unknown manufacture, unknown size, USB thumb drive labeled with "Denver Anshutz Medical Campus Graduate School, ucdenver.edu/graduateschool." (FBI evidence marked item: 88)
6. Black *Motorola* cable modem, model number: SB5101, serial number: 166958915902902401011107. (FBI evidence marked item: 32)
7. Black USB *Netgear* wireless network adapter, model number: PTVU1000, serial number: 2RT1194M00EAB. (FBI evidence marked item: 2)
8. Black USB *Netgear* Push2TV wireless adapter base unit, model number: PTVU1000, serial number: 2RT1194M00EAB (Note: Unit has same model number and serial number as previous listed item but is actually a different evidence item); containing one Black USB *Netgear* wireless network adapter, model number: PTVU1000, serial number: 2RT1194M00EAB. (FBI evidence marked item: 42)
9. Black *DANE ELEC* 500 MB USB thumb drive, unknown model number or serial number. (FBI evidence marked item: 96)
10. Gray and red *PNY* 256 MB, model Attache USB thumb drive, no serial number. (FBI evidence marked item: 96)

Due to the complexity and technical knowledge required to perform the evidence recovery examination of any digital evidence, it will not be able to be completed within the ten day time period as digital evidence examinations require extended periods of time, many times several months, to complete. For this reason your affiant is further requesting authorization to conduct the examination of the digital evidence at a later date to be determined by computer forensic examiner(s) at the Aurora Police Department or the Rocky Mountain Regional Computer Forensics Lab (RMRCFL) for any and all information and data stored within the listed items that were seized and described above.

Including any and all information relating to any written documents, diaries, memoirs, journals, notes, letters, memorandums, address/phone number listings, training records, certificates, photographs, videos, audio recordings, sent and received e-mails, chat line logs and communications, Internet web sites visited, Internet history user/owner identifications, computer registration information, and passwords whether or not these any of these items have been

AFFIDAVIT FOR SEARCH AND SEIZURE WARRANT

Re: Holmes, James dob:12/13/1978

APD Case Number: 12-28181

encrypted, password protected, previously deleted, or privatized to deny access in any other manner by any prior operator of the computer.

Any and all computer programs or software used in the operation of the computer system, used to transmit or receive information, used to display or print graphics or other types of files, and all other computer programs and software associated with the computer system to include all programs stored on the computer or other storage media.

Any and all correspondence, electronic mail (e-mail), letters, notes, memorandum, or other communications in written or oral form, stored on the listed items.

Any and all documents which serve the purpose of explaining the way in which the computer hardware, programs and data are used, including manuals for computer equipment or software, printouts of computer programs, data files or other information which has been or continues to be stored electronically or magnetically in the computer system.

Any and all computer programs or software used in the operation of the computer system, used to transmit or receive information, used to display or print graphics or other types of files, and all other computer programs and software associated with the computer system to include all programs stored on the computer or other storage media.

The dates of the weapon purchases and iPhone photographs indicate to your affiant that this event had been planned for a long period of time. In your affiants experience and training people often store images and plans for such an event on their computers and other electronic storage devices. Your affiant advises that searching the computers and electronic storage devices would lead to the discovery of additional evidence for possible future prosecution.

Based on the facts and information of the above, your affiant requests the issuance of a search warrant be granted for the above described property, directed to any officer authorized by law to execute warrants in the county wherein said property is located, commanding said officer to search forthwith the property, and directing that return thereof be made to the judge or clerk of the court issuing the warrant.

YOUR AFFIANT has read the foregoing statement, and the matters stated therein are true, to the best of my knowledge and belief.

Detective Tom Sobieski
Affiant

SUBSCRIBED AND SWORN before me by Detective Tom Sobieski
this 23rd day of July, A.D., 2012.
9:05 pm.

Kurt G. Horton
DISTRICT COURT JUDGE