

*[Handwritten signature]*

IN: 11:00 AM.

# UNITED STATES DISTRICT COURT

for the  
District of Montana

In the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)

81770 Gallatin Road  
Bozeman, Montana

Case No. *mg-11-4-BU-JCL*

## SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the \_\_\_\_\_ District of \_\_\_\_\_ Montana  
(Identify the person or describe the property to be searched and give its location):  
See attachment A, incorporated by reference herein.

The person or property to be searched, described above, is believed to conceal (Identify the person or describe the property to be seized):  
See attachment B and addendum to attachment B, incorporated by reference herein.

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

YOU ARE COMMANDED to execute this warrant on or before

*3/24/2011*  
(not to exceed 14 days)

☒ in the daytime 6:00 a.m. to 10 p.m.

☐ at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, 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 United States Magistrate Judge Jeremiah C. Lynch, Magistrate Judge  
(name)

☐ I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box) ☐ for \_\_\_\_\_ days (not to exceed 30).  
☐ until, the facts justifying, the later specific date of \_\_\_\_\_.

Date and time issued:

*3/10/2011*  
*10:48 AM*

*Jeremiah C. Lynch*  
Judge's signature

City and state: Missoula, Montana

Jeremiah C. Lynch, Magistrate Judge  
Printed name and title



## Attachment "A"

81770 Gallatin Road, Bozeman, Montana (accurately depicted below) is a building located on the east side of Gallatin road with the front of the building facing west. The front entrance door is located on the west side of the building near the south corner. The door has a glass center with a green structure. The numbers 81770 are in black with a red background located on the north side of the main entrance door. A neon "OPEN" sign is on the south side of the entrance door. The building is mainly covered in brown wood siding and green trim. The front center portion of the building is a tan textured finish. In the front center portion of the building is a sign that states in black letters "BIGSKY Patient - Care." Below the sign is a banner for Big Sky Patient Care.





ATTACHMENT B

UNITED STATES DISTRICT COURT

DISTRICT OF MONTANA, BUTTE DIVISION

ITEMS TO BE SEARCHED AND SEIZED

The following described items that are evidence of the commission of drug trafficking offenses in violation of 21 U.S.C. § 841 and/or 21 U.S.C. § 846:

1. Controlled substances, including marijuana and hashish, as well as packaging material, plastic wrap, one gallon or other sized Ziploc bags, cutting agents, scales, duct tape, vacuum sealers and vacuum seal bags, and plastic bags.
2. Drug paraphernalia, including materials of packaging, manufacturing, cultivating, consuming, storing, concealing, cutting, weighing, possessing, and/or distributing controlled substances.
3. Cellular phones, which drug traffickers utilize as a means of communication to facilitate drug transactions with their customers and/or suppliers.
4. Firearms and ammunition, used in the commission of drug trafficking offenses under 21 U.S.C. §§ 841 and 846.
5. Books, records, receipts, notes, ledgers and other papers relating to the transportation, ordering, purchasing, trafficking, possession and/or distribution of controlled substances;
6. Address and/or telephone books and papers reflecting names, addresses and/or telephone numbers including but not limited to names of, addresses for, and/or telephone numbers of co-conspirators and/or persons to whom dangerous drugs have been delivered to or obtained from;
7. Documents and/or papers which may aid in the identification and location of customers, suppliers and/or co-conspirators;
8. Records of drug transactions including lists of customers and suppliers, lists



of expenses and payments, lists of dangerous drug prices;

9. Books, records, receipts, bank statements and records, money drafts, letters of credit, wire transfers, money orders and/or cashiers check receipts, bank checks, and other items evidencing the obtaining, secreting, transfer, trading and/or concealment of assets and/or the expenditure of money;
10. Proceeds of dangerous drug sales to include United States Currency, jewelry, motor vehicle titles, and financial instruments, or other items furnished in the exchange of controlled substances in violation of Title 21 United States Code, Section(s) 841(a)(1) and 846;
11. Indicia of occupancy, residency, and/or ownership of the premises described in the search warrant to include, but not limited to telephone bills and/or other receipts, canceled envelopes, keys and/or personal items or identification;
12. Documents which may aid in the identification of and/or the current location of controlled substances and/or proceeds from drug transactions to include but not limited to safe deposit box records, storage units receipts, and rental agreements.
13. Computers, hard drives, computer disks, floppy disks, palm pilots, other electronic equipment used to store information, data, numbers, including but not limited to cellular phones, pagers, and other telecommunication equipment and the contents thereof. The records described above may be stored in magnetic or electronic media including hard drives, diskettes, tapes, or other media capable of storing information in a form readable by a computer. These records include media maintained as archive or backup copies.



## **ADDENDUM TO ATTACHMENT B**

The government shall make an exact copy of all data and other electronically stored information from the seized data storage devices within ten (10) business days after the warrant is executed. Upon written request by the owner of the seized data storage devices the government shall provide the owner with a copy of any requested data and electronically stored information that does not constitute contraband or instrumentalities of a crime. The government shall provide such copy to the owner within reasonable time after a written request is made. If the government withholds any data or electronically stored information requested by the owner, the government shall identify the data and information withheld and explain why it was not produced. The government and the owner shall negotiate the procedures for providing copies of data and electronically stored information, which may require the owner to provide blank storage media at his or her expense.

- (a) The term "data storage devices" refers to computer hard drives, diskettes, CD-ROMS, and other devices which contain data and electronically stored information seized pursuant to the search warrant.
- (b) The reasonable time period for providing the owner with a copy of data and electronically stored information includes the time required for the government to analyze the data and information to determine whether they contain contraband or instrumentalities of a crime. Although the court has not set a specific time period for such production, the government shall provide the owner with a copy of the data and electronically stored information requested as soon as practicable under the existing circumstances.
- (c) At the conclusion of the criminal investigation and any related criminal proceedings, the government shall return the seized data storage devices, and any data and information contained thereon, to the owner, except for any data storage devices, data, and information which are contraband or instrumentalities of a crime or which are subject to forfeiture under federal or state law.