# AFFIDAVIT FOR SEARCH WARRANT

**STATE OF {judicialStateUppercase}**

**COUNTY OF {judicialCountyUppercase}**

Whereas, on this day, the Affiant, {affiantTitle} {affiantFirstName} {affiantLastName} of {affiantDepartment}, whom I recognize as a credible individual, has sworn under oath and presented the following complaint before me, the undersigned judicial officer for {judicialCounty} County:

1. The Affiant has probable cause to believe that certain items, described hereinafter, are being concealed in or about the following device(s), hereinafter referred to as “the Device(s),” located within {judicialCounty} County:

**{#devicesDescription}**

**{text}**

**{/devicesDescription}**

**And all memory cards immediately associated/attached with the Device(s) such as subscriber identification module (SIM) cards and memory cards.**

1. That said items are particularly described as follows:

**The items to be seized are particularly described in a document titled “Items to Be Seized,” attached hereto as “Attachment A,” which is made a part hereof and incorporated herein by reference.**

1. That the possession of the above-described items is relevant to the investigation (or the public has a primary interest in, or primary right to access, the above-described digital data and related items), in that said items are:

**In violation of Section {chargeCode} of the Mississippi Code of 1972 Annotated**

1. The underlying facts and circumstances establishing the grounds for the issuance of a Search Warrant are as follows:

**The facts establishing the grounds for the issuance of a Search Warrant are detailed in a document titled "Underlying Facts and Circumstances," attached hereto as "Exhibit A," and incorporated herein by reference.**

1. Wherefore, the Affiant requests the issuance of a search warrant directing the search of the Device(s) and the seizure of the above-described items. The search may involve the use of various techniques, including but not limited to manual manipulation and computer-assisted scans of the Device(s). These techniques may expose multiple parts of the Device(s) to human inspection to determine whether they contain evidence described in the warrant.
2. This affidavit is intended solely to demonstrate sufficient probable cause for the requested warrant and does not include all of the Affiant's knowledge regarding this matter.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
{affiantTitle} {affiantFirstName} {affiantLastName}, Affiant

Sworn to and subscribed before me, this the \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_, 2024. TIME \_\_\_:\_\_\_ AM/PM

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
{judicialJudge}

# Affiant’s Introduction and Background

{#affiantHerosheet}

{text}

{/affiantHerosheet}

Therefore, with the qualifications outlined above, I respectfully request the issuance of a search warrant based on the following underlying facts and circumstances.

# Exhibit A Underlying Facts and Circumstances

{#factsAndCircumstances}

{text}

{/factsAndCircumstances}

The Device(s) are currently in the lawful possession of the {affiantDepartment}. These devices came into {affiantDepartment}'s possession through a lawful seizure with consent. While {affiantDepartment} may already possess the necessary authority to examine the Device(s), this warrant is sought out of an abundance of caution to ensure that the examination complies fully with the requirements of the Fourth Amendment.

The Device(s) are currently secured in storage at the {affiantDepartment}. Based on my training and experience, I affirm that the Device(s) have been stored in a manner designed to preserve their contents. To the extent that the contents are material to this investigation, they remain in substantially the same state as when the Device(s) initially came into the possession of the {affiantDepartment}.

Based on my knowledge, training, and experience, I understand that electronic devices are capable of storing information for extended periods. Additionally, data accessed via the Internet is often retained on the device for a significant duration. This data can typically be recovered and analyzed using forensic tools.

In *Illinois v. Gates* (1983), the United States Supreme Court established the "totality of the circumstances" test for determining probable cause to issue a search warrant. In *Lee v. State* (1983), the Mississippi Supreme Court adopted this approach. Additionally, in *United States v. Cortez* (1981), the United States Supreme Court held that evidence "must be seen and weighed as understood by those versed in the field of law enforcement," who are entitled to "formulate certain common-sense conclusions about human behavior." Furthermore, in *Maryland v. Pringle* (2003), the United States Supreme Court reaffirmed these principles, emphasizing that "probable cause deals with probabilities and depends on the totality of the circumstances," including "the factual and practical considerations of everyday life.”

Therefore, based on the totality of the circumstances detailed in this affidavit, along with my training and experience, my involvement in similar investigations, and my experience debriefing individuals arrested for similar crimes, I believe the items sought in this search warrant will be found in the Device(s) to be searched.

With the information supplied above, I respectfully request a search warrant for the above-described Device(s).

# SEARCH WARRANT

**STATE OF {judicialStateUppercase}**

**COUNTY OF {judicialCountyUppercase}**

Whereas, on this day, the Affiant, {affiantTitle} {affiantFirstName} {affiantLastName} of {affiantDepartment}, whom I recognize as a credible individual, has sworn under oath and presented the following complaint before me, the undersigned judicial officer for {judicialCounty} County:

1. The Affiant has probable cause to believe that certain items, described hereinafter, are being concealed in or about the following device(s), hereinafter referred to as “the Devices(s),” located within {judicialCounty} County:

**{#devicesDescription}**

**{text}**

**{/devicesDescription}**

**And all memory cards immediately associated/attached with the Device(s) such as subscriber identification module (SIM) cards and memory cards.**

1. That said items are particularly described as follows:

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1. That the possession of the above-described items is relevant to the investigation (or the public has a primary interest in, or primary right to access, the above-described digital data and related items), in that said items are:

**In violation of Section {chargeCode} of the Mississippi Code of 1972 Annotated**

1. The underlying facts and circumstances supporting the issuance of this search warrant are detailed in a document titled "Underlying Facts and Circumstances," which has been reviewed by this Court.
2. After reviewing and considering the affidavit, along with the evidence presented by the Affiant, this Court finds probable cause to issue a search warrant. You are therefore commanded to conduct a search of the Device(s) for the specified items, informing any persons in control of the Device(s), if present, of your purpose and authority to do so.
3. If the specified items are found, you are commanded to seize them, leaving a copy of this warrant and a receipt for the items taken. Additionally, you are directed to prepare a written inventory of the seized items and record your actions on this warrant. The warrant and inventory must then be returned to the court of the undersigned Judicial Officer.

Witness my hand this, the \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_, 2024.

TIME \_\_\_:\_\_\_ AM/PM

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
{judicialJudge}

Conduct the search within \_\_\_\_\_\_\_\_ day(s), not to exceed ten (10) days from the issuance of this warrant, as permitted by Rule 4.3 of the Mississippi Rules of Criminal Procedure.

A return shall be filed in the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Court of {judicialCounty} County, {judicialState} within \_\_\_\_ day(s) following the execution of this search warrant.

# Attachment “A” Items To Be Seized

The following digital information and electronic data stored on, deleted from, or accessible through the Device(s), including but not limited to:

{#itemsToSeize}

{text}

{/itemsToSeize}