

URGENT FAX MESSAGE!

To: 5742456690@rcfax.com**From:** Eric TamashaskySouth Bend
IN**Phone:****Phone:** 15748769047**Fax** (574) 245-6690**Fax Phone:** (574) 696-0303**Date:** 06/14/2017**Pages:** 7**Note:**

Any questions please call eric tamashasky at 574-876-9047. Return fax (include area code) 574-696-0303.

URGENT FAX MESSAGE!

STATE OF INDIANA) IN THE ST. JOSEPH SUPERIOR COURT
) SS:
ST. JOSEPH COUNTY) SJC Cybercrimes F17-122

AFFIDAVIT IN SUPPORT OF A SEARCH WARRANT

Eric Tamashasky, SJCPD, swears or affirms that:

Affiant believes and has good cause to believe that there is located on the following described person or place:

1. Internet servers of Facebook Inc., Facebook Security LE Response Team, 1601 Willow Road, Menlo Park, CA 94025 for Facebook User ID: 100011208224380
2. To be served via Facebook Law Enforcement Portal

Certain evidence, to wit:

1. For the Facebook account of **100011208224380** between the dates of April 2, 2017 and June 11, 2017,
 - a) Any and all account information for Facebook User ID: **100011208224380**
 - b) Neoprint of Facebook user ID: **100011208224380**
 - c) Photoprint of Facebook user ID: **100011208224380**
 - d) User contact information of Facebook user ID: **100011208224380**
 - e) Confirmed email addresses of Facebook user ID: **100011208224380**
 - f) Cell phone number of Facebook user ID: **100011208224380**
 - g) Device connection log of Facebook user ID: **100011208224380**
 - h) IP Logs of Facebook user ID: **100011208224380**, for the date range of April 2, 2017 00:00 UTC through 6/12/2017 00:00 UTC
 - i) Content of user messages of Facebook user ID: **100011208224380**
 - j) Pictures and/or videos, including application metadata, uploaded and/or stored of Facebook user ID: **100011208224380**

That is related to an investigation of the offense(s) of:

Harassment, I.C. 35-45-2-2; Distribution of Obscene Matter, I.C. 35-49-3-1

The reasons and grounds for affiant's belief that there exists probable cause for conducting a search and seizure as detailed above are as follows:

I, Eric Tamashasky, am deputized as a Special Deputy with full law enforcement powers with the St. Joseph County Police Department. I have been a special deputy since 2011 and am responsible for the St. Joseph County Cybercrimes Against Children Unit. Prior to my role as a Special Deputy with the St. Joseph County Police Department, I was a deputy prosecuting attorney for the St. Joseph County Prosecutor's Office since 2004. In that capacity, I prosecuted major crimes—including cybercrimes cases. I was the lead prosecutor for the St. Joseph County Prosecutor's Office High Tech Crimes Unit from 2007 until its closure in 2009. I have training on cybercrime investigations from the United States Secret Service (including a two week course on mobile device forensics and a 1 week course on online social network investigations), the National Center for Missing and Exploited Children, the National White Collar Crime Center, and the Internet Crimes Against Children (ICAC) Taskforce.

The statements in this report are based on my personal knowledge, and on information that I have received from other law enforcement personnel and from persons with knowledge regarding relevant facts of this investigation. I have not included each and every fact known to me concerning this investigation.

On June 12, 2017, I received information from Commander Brian Young of the St. Joseph County Special Victims Unit that a friend of his, Leanne Tokars, had been receiving offensive and troubling messages via her public Facebook page. Commander Young was asking for direction on this matter as it involved social media and potentially criminal conduct. I advised Commander Young that I would assist in this investigation. Ms. Tokars had previously reported conduct involving what she believes to be the same user via different Facebook account in 2015. Detective Tim Williams from MPD provided copies of their case file to Commander Young for my review on 6/12/2017. In each case, the Facebook user sent Ms. Tokars images that appeared to be "selfies" and those images appear to show the same person.

On 6/13/2017, I asked Ms. Tokars to provide me with the Facebook User ID and specific copies of the messages and images sent to her by the Facebook user. Ms. Tokars was able to provide me with a Facebook user ID of **100011208224380**. This ID represents the origin of the series of Facebook private messages she received. I reviewed screen captures of the messages

she was sent. On April 2, 2017, Ms. Tokars received a "selfie" of an adult male with a message "Thought I drop by and say hi." Three days later, the user sent another message that said "I didnt know you were married though." (Ms. Tokars is not married). On April 20, 2017, Ms. Tokars received two messages that stated "Baby Leanne" and "lol I really want to know what you think when you read that. Please inform me.." On May 31, 2017, she received two more messages: "Baby Leanne" and "We're gonna have some fun this weekend." On Sunday, June 11, 2017, the FB User sent her a picture of herself and then, 16 minutes later, a picture of two men having sex with one woman. The woman's hair color and style seem consistent with Ms. Tokars'. In the image, the males' penises can be seen inserted into the woman's anus and mouth. Another image of a woman performing oral sex on a man followed, then another picture of Ms. Tokars (from a CBS Super Bowl promotion), followed by a woman (again with same hair color) holding two adult penises while her breasts are exposed. Ms. Tokars finally wrote back to the FB User the single word, "Stop." The person returned her message by simply stating, "She speaks ☺". The user images sent to Ms. Tokars are consistent with unwanted contact from another Facebook user in 2016 (Ms. Tokars believes the images show the same person).

This series of messages is unwanted and unwelcome; it serves no legitimate communication to send unsolicited pornography to another person. Given the message about meeting (which Ms. Tokars found disconcerting as she does not know this person), then the series of pornography images, I believe it is reasonable to believe that the person's intent is to either harass, annoy, or alarm Ms. Tokars. Moreover, the images of sexual activity appeal to the prurient interest in sex, depict in a patently offense way sexual conduct, and lack serious literary, artistic, political, or scientific value, especially given the non-consensual way they were exhibited. These images were distributed using the internet via Facebook.

This search warrant is for Facebook book information to help identify the user sending these images to Ms. Tokars. The warrant seeks both non-content information (e.g. IP logs for user connections to the account) and content (all messages and images over the time period for the purpose of attempting to determine the identity of the person(s) in control over the Facebook account with a user ID **100011208224380**.)

Finally, I believe that notice of this investigation will necessarily alert the target user that law enforcement has begun to take steps to identify them. I believe that any notice of our interest will result in reasonable individuals taking steps to thwart our investigation including

destroying evidence, taking steps to securely destroy evidence (means of which are available via a simple google search), applying encryption to evidence drives, and otherwise adversely affecting our ability to effectively determine the identity of the user who has transmitted these images to the victim. I am therefore requesting this Court also order Facebook to refrain from notifying the account holder before we have the opportunity to identify them to avert any chance to destroy evidence.

I affirm, under the penalties for perjury that, to the best of my knowledge and belief, the foregoing is true.

Eric Tamashasky

Eric Tamashasky

St. Joseph County Police Department

SEARCH WARRANT

STATE OF INDIANA

)

) SS: In the St. Joseph Superior Court

ST. JOSEPH COUNTY

)

Cyber F17_122

TO: ANY CONSTABLE, POLICE OFFICER, SHERIFF, or CONSERVATOR of the PEACE.

GREETINGS:

WHEREAS, there has been filed with me an AFFIDAVIT, a copy of which is attached hereto and incorporated herein by reference; and,

WHEREAS, I find there exists probable cause to believe that:

For the Facebook account of 100011208224380 between the dates of April 2, 2017 and June 11, 2017,

- k) Any and all account information for Facebook User ID: 100011208224380
- l) Neoprint of Facebook user ID: 100011208224380
- m) Photoprint of Facebook user ID: 100011208224380
- n) User contact information of Facebook user ID: 100011208224380
- o) Confirmed email addresses of Facebook user ID: 100011208224380
- p) Cell phone number of Facebook user ID: 100011208224380
- q) Device connection log of Facebook user ID: 100011208224380
- r) IP Logs of Facebook user ID: 100011208224380, for the date range of April 2, 2017 00:00 UTC through 6/12/2017 00:00 UTC
- s) Content of user messages of Facebook user ID: 100011208224380
- t) Pictures and/or videos, including application metadata, uploaded and/or stored of Facebook user ID: 100011208224380

is/are located at/in/upon:

3. Internet servers of Facebook Inc., Facebook Security LE Response Team, 1601 Willow Road, Menlo Park, CA 94025 for Facebook User ID: 100011208224380
4. To be served via Facebook Law Enforcement Portal

YOU ARE THEREFORE ORDERED AND COMMANDED, in the name of the State of Indiana, with the necessary and proper assistance, in the daytime or in the nighttime, to enter into or upon the premises and digital storage items described herein, including each and every room therein contained, and the curtilage surrounding said premises, and diligently search for said items described herein, and bring you the same, or

any part thereof found in the search, forthwith before me in the St. Joseph Superior Court to be disposed of according to law.

PROVISION OF RESPONSIVE DATA

It is requested that responsive data be provided in .zip archive format. Facebook shall disclose responsive data, if any, by sending, either electronically or physically to:

Eric Tamashasky
Investigator
Cyber Crimes Unit
St. Joseph County
401 W. Sample Street
South Bend, IN 46601
574-235-9544 – Main
574-696-0303 – Fax
etamashasky@co.st-joseph.in.us

using email, online portal, fax, U.S. Postal Service or another courier service, notwithstanding 18 U.S.C. 2252A or similar statute or code.

Further, pursuant to 18 USC 2705, having considered the facts and circumstances contained within this application, I find that there exists a reason to believe that prior notification may have one or more of the following adverse results:

- ___ (1) endangering the life or physical safety of an individual;
- ___ (2) flight from prosecution;
- X (3) destruction of or tampering with evidence;
- ___ (4) intimidation of potential witnesses; or
- ___ (5) otherwise seriously jeopardizing an investigation or unduly delaying a trial.

THEREFORE, the recipient of the foregoing *Search Warrant* is hereby ORDERED to comply with the Search Warrant and to not disclose the existence of this court order for a period of ninety (90) days from the date of issuance, unless otherwise ORDERED by this Court.

Dated this 14 day of JUNE, 2017 at the hour of 3:25 P. M.



Judge, St. Joseph County Superior Court

HP LaserJet Pro MFP M521dn

Fax Confirmation

Jun-14-2017 3:04PM

Job	Date	Time	Type	Identification	Duration	Pages	Result
2721	6/14/2017	3:01:32PM	Receive	eric.tamashasky@gmail	2:46	7	OK

From: Eric Tamashasky To: (574) 690-0303 To: 574/690-0303 Fax: (574) 690-0303 Page 1 of 2 06/14/2017 FAXING

URGENT FAX MESSAGE!

To: 5742456090@cfax.com

From: Eric Tamashasky

South Bend
IN

Phone:

Phone: 15746769047

Fax: (574) 245-6090

Fax Phone: (574) 690-0303

Date: 06/14/2017

Pages: 7

Note:

Any questions please call Eric Tamashasky at 574-676-9047, Return Fax (The India Area code) 574-690-0303.

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