STATE OF FLORIDA) 2021 SW 000442 NC
12TH JUDICIAL CIRCUIT) SEARCH WARRANT (COMPUTER/EXTERNAL
COUNTY OF SARASOTA) STORAGE DEVICES)

IN THE NAME OF THE STATE OF FLORIDA, to all and singular the Sheriffs and their Deputies, the Director of the Florida Highway Patrol and his Troopers, the Commissioner of the Florida Department of Law Enforcement and his Special Agents, the Director of the Florida Fish and Wildlife Conservation Commission and his Officers, and Constables, Municipal Police Officers and State Attorney's Investigators all acting within their jurisdiction;

WHEREAS, I have received affidavit for search warrant, on this date made before me by the Affiant, Detective Daniel Alix #398 who has prepared same in his capacity as a law enforcement officer; and

WHEREAS, the Detective having been placed under oath and having sworn to the facts as stated therein, and having examined the said facts set forth in support of said application for search warrant, and the facts contained therein which are now incorporated herein by reference and made a part of this Warrant, and;

WHEREAS, said facts so made known to me by such affidavit as set forth, have caused me to certify and find that there is probable cause to believe that the laws of the State of Florida relative to: missing/endangered persons, F.S.S. 937.021 in regard to Gabrielle Verona Petito, and that evidence connected to her whereabouts is currently located within the below described computer(s)/external storage device(s);

THE DESCRIPTION AND LOCATION OF COMPUTER(S) TO BE SEARCHED is as follows:

The computer(s)/external storage device(s) is a black Western Digital External Hard Drive with Serial Number WXG2E1138AM9 and Product Number WDBAJP0050BBK-XA. The computer(s)/external storage device(s) is located in the property/evidence vault at the North Port Police Department, which is located at 4980 City Hall Boulevard, North Port Florida 34286.

The aforesaid computer(s) is/are within the jurisdictional boundaries of Sarasota County.

THEREFORE, these presents are to command you, with the proper and necessary assistance, including off-site forensic computer analyst experts, either in the day time or in the night time, as the exigencies of the situation may demand or require or on Sundays, or holidays, to search the said computer(s) described above, and seize as evidence any of the following:

1. Any and all external storage device(s), commercial software and hardware, computer disks, disk drives, tape drives, disk application programs, data disks,

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system disk operating systems, electronic mail, system storage devices, tape systems and hard drive and other computer-related operation equipment, in addition to computer photographs, graphic interchange formats and/or photographs, or other visual depictions.

2. Any digital documents, notes, or equipment relating to passwords, encryption codes and data security devices which may restrict access to the hardware, software or data.
3. All data and files associated with the external storage device(s), listed above, including password protected files, both text and image types that may include, but are not limited to: ".doc, .txt, .gif, .bmp, .tiff, .pcs, .pic, .png, .dcs, .art or .jpeg.", that can be stored or saved by these suffixes or they can be renamed and saved under different titles.
4. Files that show emails, text messages and all internet browsing history.
5. Computer files showing ownership, possession or control of computers, and electronic storage devices to include but not limited to email associated files

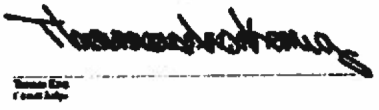
and any other evidence relating the subject matter of this warrant that could be used or has been used in violation of the laws of the State of Florida in order that evidence may be procured to be used in the prosecution of the Criminal Laws of the State of Florida, and make return of your doings under this warrant to me or to my designated clerk, within ten (10) days of the date hereof, and give proper receipts for any property taken hereunder, and deliver a copy of this warrant to the person at whom directed.

YOU ARE FURTHER DIRECTED to bring the evidence so seized if it be of a contraband nature, before a court having jurisdiction to be disposed of and dealt with according to law.

GIVEN UNDER MY HAND AND SEAL THIS DAY

9/15/2021

DATE



CIRCUIT JUDGE 12TH JUDICIAL CIRCUIT
SIGNATURE/ELECTRONIC SIGNATURE

IN THE CIRCUIT COURT OF THE 12TH JUDICIAL CIRCUIT IN AND FOR SARASOTA COUNTY, FLORIDA

SEARCH WARRANT
AFFIDAVIT & APPLICATION
(COMPUTER/EXTERNAL STORAGE DEVICES)

BEFORE ME, a Judge of the Circuit Court, personally or by sworn attestment appeared Detective/Officer Daniel Alix #398, a duly sworn law enforcement officer of the North Port Police Department State of Florida, who after being first properly sworn, deposes and says that he/she has probable cause to believe and does believe that the laws of the State of Florida have been violated, to-wit:

The laws related to **missing/endangered person(s)** controlled by Florida State Statute 937.021 in regard to w/f Gabrielle Venora Petito (DOB 03/19/1999).

That the officer has reason to believe and does believe that evidence connected with the investigation is currently contained within the computer(s)/external storage device(s) described below.

THE DESCRIPTION AND LOCATION OF THE COMPUTER(S)/EXTERNAL STORAGE DEVICE(S) TO BE SEARCHED IS/ARE AS FOLLOWS:

The computer(s)/external storage device(s) is a black Western Digital External Hard Drive with Serial Number WXG2E1138AM9 and Product Number WDBAJP0050BBK-XA. The computer(s)/external storage device(s) is located in the property/evidence vault at the North Port Police Department, which is located at 4980 City Hall Boulevard, North Port Florida 34286.

The aforesaid computer(s)/external storage device(s) is/are located within the jurisdictional boundaries of Sarasota County.

GROUNDS FOR ISSUANCE:

The following grounds for issuance of a Search Warrant, as required by Florida Statutes exist, to-wit: Florida Statutes provides that a warrant to search an item, structure, or conveyance other than a dwelling may be issued when any property constitutes evidence relevant to proving that a felony has been committed. See Florida Statute 933.02(3).

PROBABLE CAUSE FOR ISSUANCE:

Your Affiant has probable cause to believe that the above-named crime has been committed and that evidence may be discovered for the following reasons:

1. Your Affiant is a Detective with the North Port Police Department and is currently assigned to the Criminal Investigative Division. Your Affiant has been a police officer for approximately ten years and has been assigned to the Criminal Investigative Division for nine months. Your Affiant is charged with the responsibility of investigating crimes such as crimes against persons or property and the investigation of missing persons.

2. The subject, Gabrielle Venora Petito and her boyfriend, Brian Laundrie, left from New York state sometime in mid-June 2021 for a vacation to Utah, traveling a variety of National Parks along the way. While they were on their trip, they documented some of the events on a YouTube video, "VAN LIFE: Beginning Our Van Life Journey."

3. During the trip the subject sent multiple text messages and had many talks with her mother, Nichole Schmidt, via cellphone communication using her subscriber number of 631-320-4484, issued by T-Mobile. During these conversations there appeared to be more and more tension between her and Laundrie.

4. On 08/12/21, a report was generated by the Moab City Police Department, Moab Utah, reference a domestic disturbance between the subject and Laundrie. In the report Ofc. Robbins wrote, "After evaluating the totality of the circumstances, I do not believe the situation escalated to the level of a domestic assault as much as that of a mental health crisis." Ofc. Robbins stated that the subject was having a severe case of anxiety, per the subject's testimony on scene. Laundrie also told the responding officers that he was concerned about the subject because her anxiety had worsened during their extended trip.

5. On August 27th, 2021 the subject's mother, Nichole Schmidt, received an "odd text" from the subject. The text message read, "Can you help Stan, I just keep getting his voicemails and missed calls." The reference to "Stan," was regarding her grandfather, but per the mother, she never calls him "Stan." The mother was concerned that something was wrong with her daughter.

6. This was the last communication anyone had with the subject. Her cellphone was no longer operational, and she stopped posting anything on social media about their trip. Per her family, this was not normal behavior for the subject, and they became more worried about her.

7. On September 11th, 2021 the subject was entered as a missing person by the Suffolk County Police Department in New York. Based on the reports from the Moab City Police Report, it appears the subject is also endangered, due to mental health concerns.

8. On September 11th, 2021 the subject's van, a white Ford Transit, bearing Florida tag QFTG03, was located at her address at 4343 Wabasso Avenue, North Port, Florida, 34286. Per the license plate reader installed at the Sumter Blvd. exit of

Interstate 75, that vehicle entered the City of North Port on September 1st, 2021 at approximately 10:26 AM.

9. Brian Laundrie's family stated that the subject was not at the residence and they did not know her whereabouts. They refused to allow Brian to speak with law enforcement and directed the officers on scene to speak with their attorney.

10. Based on the totality of the circumstances related to the subject's mental health, I believe there is probable cause to believe that the subject is unable to care for herself due to her increased anxiety. Due to this behavior, our concerns for her welfare have reached an exigent level. Her cellphone has been turned off for approximately 15 days and there have been no sightings of her since August 27th, 2021.

11. On 09/14/21 at approximately 7:00 PM a signed search warrant was executed for the subject's vehicle (2012 Ford Transit van), at the North Port Police Department. Within the subject's vehicle, the crime scene technicians located a **black Western Digital External Hard Drive with Serial Number WXG2E1138AM9 and Product Number WDBAJP0050BBK-XA.**

12. This computer(s)/external storage device(s) is potentially the subject's property and due to that, it may contain viable digital forensic data that could assist in the location of said missing endangered subject.

Your affiant knows that computer hardware, software, and electronic files may be important to a criminal investigation in two distinct ways: (1) the objects themselves may be contraband, evidence, instrumentalities, or fruits of crime, and/or (2) the objects may be used as storage devices that contain contraband, evidence, instrumentalities, or fruits of crime in the form of electronic data. This affidavit also requests permission to search the computer hardware that may contain said electronic data, and if it becomes necessary for reasons of practicality, to remove the hardware and conduct a search off-site. Your affiant believes that, in this case, the computer hardware is a container for evidence, a container for contraband, and also itself an instrumentality of the crime under investigation.

Based upon your affiant's knowledge, training and experience, your affiant knows that searching and seizing information from computers often requires agents to seize most or all electronic storage devices (along with related peripherals) to be searched later by a qualified computer expert in a laboratory or other controlled environment. This is true because of the following:

(1) The volume of evidence. Computer storage devices (like hard disks, diskettes, tapes, laser disks, flash drives) can store the equivalent of millions of pages of information. Searching this vast amount of information makes is a very time consuming task. This sorting process can take weeks or months, depending on the volume of data stored, and it would be impractical and invasive to attempt this kind of data search on-site.

(2) Technical Requirements. Searching computer systems for criminal evidence is a highly technical process requiring expert skill and a properly controlled environment. The vast array of computer hardware and software available requires even computer experts to specialize in some systems and applications, so it is difficult to know before a search which expert is qualified to analyze the system and its data. In any event, however, data search protocols are exacting scientific procedures designed to protect the integrity of the evidence and to recover even "hidden," erased, compressed, password-protected, or encrypted files. Because computer evidence is vulnerable to inadvertent or intentional modification or destruction, both from external sources or from destructive code imbedded in the system as a "booby trap", a controlled environment may be necessary to complete an accurate analysis. Further, such searches often require the seizure of most or all of a computer system's input/output peripheral devices, related software, documentation, and data security devices (including passwords) so that a qualified computer expert can accurately retrieve the system's data in a laboratory or other controlled environment. It is also necessary to seize all peripherals so that the analyst can show that the computer was in a functional operating state and was capable of being used in the manner described in this affidavit.

(3) Necessity to Search Files of Varying Formats. Searching for a particular piece of evidence can be a painstaking and complicated process. Computer evidence may be stored in random order with deceptive file names. File extensions can be intentionally altered to make graphic files appear to be text files and text files appear to be graphic files. Such difficulties can also arise even when the user is not intentionally trying to conceal the nature of his or her files. For example, documents are frequently stored on computers after having been scanned and converted into digital format. When stored in this manner, such documentary evidence is converted to a graphical image format much like a photograph. Therefore, it is necessary for the forensic examiner to inspect files stored in graphical format to see if the relevant documents have been so stored. Graphical images or pictures can be stored on a computer with either the standard graphical extensions such as .jpg, .bmp, gif, etc… or they can be embedded in other file types, such as word processing documents, spreadsheets and database and PowerPoint programs. For instance, a slide show consisting of hundreds of images can be imbedded in a Power Point presentation program and it would not be apparent to the examiner until opening and viewing that program. The forensic examiner, therefore, will need to view such other programs to see if the relevant graphical images are stored in such a manner. It is thus essential to search files of all types in order to ensure that the requested "PROPERTY" is discovered. This may require searching authorities to examine all the stored data to determine which particular files is evidence or instrumentalities of crime.

(4) Necessity to Search Software Applications. Your affiant also requests to search the various software applications in the subject computer. Graphical imaging programs may contain data that shows the relevant images were actually viewed by someone after being downloaded to the computer. Since it is important to determine whether any of the relevant images were actually viewed while on the subject computer, a forensic analyst will need to examine the file properties of any images found and

determine whether any of these images were manipulated or viewed by any of the software resident on the computer.

(5) Necessity to Establish a Time Line. It is important in investigations of this manner to place the suspect behind the computer at the time of the offense. Since this evidence must frequently be proven circumstantially, the forensic examiner may need to compile a time line of computer files that were altered at or near the time of the offense. An analysis of such files may provide evidence that the suspect was utilizing his computer in the appropriate time frames. This is analogous to reviewing a suspect's telephone records to prove he was at home at the time of the offense. The forensic examiner may also be able to establish defendant's control over the computer and/or the relevant files by searching for registry files and documents connecting the computer to a specific individual.

In light of these concerns, your affiant hereby requests the Court's permission to search the computer hardware (and associated peripherals) that are believed to contain some or all of the evidence described in the warrant, and to conduct an off-site search of the hardware for the evidence described.

On the basis of the foregoing facts, Affiant seeks to conduct a forensic search of any of the data stored in the aforementioned computer(s)/external media device(s) that may be in electronic or digital format.

WHEREFORE, your Affiant respectfully requests that a Search Warrant be issued commanding all and singular the Sheriffs and their Deputies, the Director of the Florida Highway Patrol and his Troopers, the Commissioner of the Florida Department of Law Enforcement and his Special Agents, the Director of the Florida Fish and Wildlife Conservation Commission and his Officers, Constables, Municipal Police Officers and State Attorney's Investigators all acting within their jurisdiction, either in the day time or night time, as the exigencies of the occasion may demand or require, or on Sunday, or holidays with proper and necessary assistance, including using forensic computer analyst experts off-site to search the above described computer(s), and seize as evidence any of the following mentioned items:

EVIDENCE SOUGHT:

1. Any and all external storage device(s), commercial software and hardware, computer disks, disk drives, tape drives, disk application programs, data disks, system disk operating systems, electronic mail, system storage devices, tape systems and hard drive and other computer-related operation equipment, in addition to computer photographs, graphic interchange formats and/or photographs, or other visual depictions.
2. Any digital documents, notes, or equipment relating to passwords, encryption codes and data security devices which may restrict access to the hardware, software or data.
3. All data and files associated with the external storage device(s), listed above, including password protected files, both text and image types that may include,

but are not limited to: ".doc, .txt, .gif, .bmp, .tiff, .pcs, .pic, .png, .dcs, .art or .jpeg.", that can be stored or saved by these suffixes or they can be renamed and saved under different titles.

4. Files that show emails, text messages and all internet browsing history.
5. Computer files showing ownership, possession or control of computers, and electronic storage devices to include but not limited to email associated files.

or any other evidence relating to the subject matter of this warrant that could be used to investigate a missing person and that evidence may be procured to be used in the prosecution of the Criminal Laws of the State of Florida.

Detective Daniel Alix #398

Affiant / Signature
Electronic Signature

STATE OF FLORIDA)
COUNTY OF SARASOTA)

The foregoing instrument was acknowledged before me this 15th day of September, 2021, by the individual whose name and signature appear above, and who is personally known to me and who did take an oath.

Detective Christopher Maki #173/

Signature/Electronic Signature
Law Enforcement Officer
Notary Public, State of Florida

IN THE CIRCUIT OF THE TWELFTH JUDICIAL CIRCUIT

IN AND FOR SARASOTA COUNTY, FLORIDA

RETURN TO SEARCH WARRANT

RECEIVED this warrant on the 15th day of September 2021 and executed the same on the 16th day of September 2021, by reading this warrant to, and delivering a true copy hereof by leaving a copy at the premises and searching the premises herein described. **Upon the completion of said search, a written inventory of the property taken** was delivered to the aforementioned person (or such a copy was left at the premises). A true and correct list of the articles taken is set forth in the following inventory:

See digital forensics lab report to follow.

SARASOTA COUNTY

STATE OF FLORIDA

I, Detective Daniel Alix #398, the officer by whom this warrant was executed, do swear that the above inventory contains a true account of all the property taken by me on said warrant.

#398

AFFIANT, Daniel Alix #398

1. (SEAL)

Sworn and subscribed before me on this 31st day of August 2021.

#262

WITNESS, Brandon McHale #262