

FILED

MAR 05 2020

Timothy W. Fitzgerald
SPOKANE COUNTY CLERK

SUPERIOR COURT, STATE OF WASHINGTON, COUNTY OF SPOKANE

STATE OF WASHINGTON)

Plaintiff,)

v.s.)

) Court Case No.

) Report No.

) SEARCH WARRANT

) RCW 9A.44.073 1ST DEGREE RAPE OF
) A CHILD

) RCW 9A.44.083 1ST DEGREE CHILD
) MOLESTATION

TO ANY PEACE OFFICER OF THE STATE OF WASHINGTON:

WHEREAS, Det Anthony Lamanna #562 has this day signed an affidavit on oath before the undersigned, one of the Superior Court Judges in and for the County of Spokane, that he/she believes that a crime has been or is being committed, to wit:

RCW 9A.44.073 1ST DEGREE RAPE OF A CHILD

RCW 9A.44.083 1ST DEGREE CHILD MOLESTATION

and that evidence of said crime is located:

(X) CELLULAR PHONE, described as: a black cellular phone in a black Otter case belonging to _____ per his statement, with an assigned number of _____

WHEREAS, the undersigned finds that there is probable cause to believe said facts contained in the affidavit to be true,

THEREFORE, in the name of the State of Washington, you are commanded within 10 days (not to exceed ten (10) days) to:

(X) search the aforementioned CELLULAR PHONE

with the necessary and proper assistance, and diligently search for and seize:

1. Depictions (to include photographs and videos) of persons engaged in sexually explicit conduct:

For purposes of this warrant, "sexually explicit conduct" means, as set forth in RCW 9.68A.011, actual or simulated:

- (a) Sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex or between humans and animals;
- (b) Penetration of the vagina or rectum by any object;
- (c) Masturbation;
- (d) Sadomasochistic abuse;
- (e) Defecation or urination for the purpose of sexual stimulation of the viewer;
- (f) Depiction of the genitals or unclothed pubic or rectal areas of any minor, or the unclothed breast of a female minor, for the purpose of sexual stimulation of the viewer.

2. Internet search history on the device to search for websites likely to depict persons (either in photos or videos) engaged in sexually explicit conduct:

Any electronic devices and/or memory devices seized will need to be forensically examined by a digital forensic analyst. Due to the potential number of items seized, the size of the various devices, as well as the volume of other items awaiting forensic examination, all above listed items will be subject to the prioritization, discretion and timing of Spokane Technical Assistance and Response Unit.

and make a return of said warrant promptly, no later than three (3) days from the execution of the Search Warrant to the undersigned Judge, showing all acts and things done thereunder, with a written inventory of any properties taken and the name of the person or persons in whose possession the same were found, if any, and if no person be found in the possession of said articles, the inventory shall so state.

The peace officer taking property under the warrant shall give to the person from whom or from whose premises the property is taken a copy of the warrant and receipt for the property taken. If no such person is present, the officer may post a copy of the Search Warrant and receipt.

The inventory shall be made in the presence of the person from whose possession or premises the property is taken, or in the presence of at least one (1) person other than the seizing officer. This person may be another officer.

M Moreno

Judge Maryann Moreno 9/10/2019 3:00:06 PM

Either the petitioner or subject of the search warrant may petition the issuing Court to seal the Warrant pursuant to Court General Rule 15.

The State intends to file a motion to seal this Search Warrant and accompanying papers without delay.

YES _____ NO X