DISW18 10/205

Det. Shaun Donovan 6770

THE STATE OF TEXAS	§	Search Warrant
	§	
COUNTY OF TRAVIS	§	District Court

Filed in The District Court
of Travis County, Texas
SEP 19 2018
At 9:48 M.
Velva L. Price, District Clerk

SEARCH WARRANT

{Article 18.02, Texas Code of Criminal Procedure}

The State of Texas: To the Sheriff or any Peace Officer of Travis County, Texas, or any Peace Officer of the State of Texas:

Whereas, the affiant whose name appears on the affidavit attached hereto is a peace officer under the laws of Texas and did on this day subscribe and swear to said affidavit before me (which said affidavit is here now made a part hereof for all purposes and incorporated herein as if written verbatim within the confines of this Warrant), and whereas I find that the verified facts stated by affiant in said affidavit show that affiant has probable cause for the belief he expresses herein and establishes existence of proper grounds for issuance of this Warrant;

Now, therefore, you are commanded to enter the suspected place and premises described in said affidavit: Apple, Inc., located at One Apple Park Way, California, 95014; and to search for the personal property described in said affidavit and to seize same and bring it before me:

- Device and account registration information including name, address, email address(es), and phone number(s) stored by Apple and pertaining to subscriber Cody Wilson and phone number [redacted]
- Photos stored on or after August 10, 2018 in the iCloud account pertaining to subscriber Cody Wilson and phone number [redacted];
- Videos stored on or after August 10, 2018 in the subscriber's iCloud account pertaining to subscriber Cody Wilson and phone number [redacted]
- iMessages, SMS, and MMS messages between subscriber and phone number [redacted] stored in the iCloud account pertaining to subscriber Cody Wilson and phone number [redacted], and
- iMessage query logs beginning August 10, 2018 for the account pertaining to subscriber Cody Wilson and phone number [redacted]

Herein fail not, but have you then and there this Warrant within three days, exclusive of the day of its execution, with your return thereon, showing how you have executed same. In accordance with article 18.07 of the Texas Code of Criminal Procedure, the data or information contained in or on a computer, disk drive, flash drive, cellular telephone or other electronic, communication, or data storage device may be recovered and analyzed after the expiration of this time if the device was seized before the expiration of the time allowed.

Issued this the 19th day of September, 2018, at 8:41 o'clock AM/PM, to certify which, witness my hand this day.

Tamara Needles

MAGISTRATE

Tamara Needles

Printed Name

427th District Court

AUSTIN, TRAVIS COUNTY, TEXAS

DISW18 101 265

Det. Shaun Donovan 6770

THE STATE OF TEXAS	§	Search Warrant
	§	
COUNTY OF TRAVIS	§	District Court

Filed in The District Court of Travis County, Texas
SEP 19 2018
At 9:04 A M
Velva L. Price, District Cle

AFFIDAVIT FOR SEARCH WARRANT

{Article 18.02, Texas Code of Criminal Procedure}

BEFORE ME, THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED THE AFFIANT HEREIN, A PEACE OFFICER UNDER THE LAWS OF TEXAS, WHO, BEING DULY SWORN, ON OATH MADE THE FOLLOWING STATEMENTS:

Your affiant is Shaun Donovan, a peace officer certified by The State of Texas, who is currently employed as a detective with the Austin Police Department. Affiant has been a law enforcement officer for over eight years. Affiant is currently assigned to the Human Trafficking/Vice Unit, where his duties include investigations involving Child Pornography, Online Solicitation of a Minor, Child Sexual Assault, and Child Sexual Exploitation. Affiant is a member of the ICAC (Internet Crimes against Children) Task Force for the Austin, Travis County, Texas area.

1. There is in Cupertino, California, an electronic service company described as:

- Apple, Inc, which is located at One Apple Park Way, Cupertino, California 95014. Apple, Inc. designs, manufactures, and markets mobile communication and media devices, personal computers, portable digital music players, and sells a variety of related software, services, peripherals, networking solutions, and third-party digital content and applications. The electronic services offered by Apple, Inc. include iCloud; a cloud service that allows users to access their music, photos, documents, and more from all their devices. iCloud also enables subscribers to back up their iOS devices to iCloud. All iCloud content data stored by Apple is encrypted at the location of the server.

2. Said suspected place and premises are in charge of and controlled by each of the following persons:

- Apple, Inc. "custodian of records", or any such designated employee of Apple, Inc.

3. It is the belief of the affiant that a specific criminal offense has been committed, to wit:

- Texas Penal Code 22.011(a)(2)(A) Sexual Assault.

4. There is at said suspected place and premises the following items constituting evidence of that criminal offense or constituting evidence tending to show a criminal offense which is a violation of the penal statutes of the state of Texas was committed:

- Device and account registration information including name, address, email address(es), and phone number(s) stored by Apple and pertaining to subscriber Cody Wilson and phone number [redacted]
- Photos stored on or after August 10, 2018 in the iCloud account pertaining to subscriber Cody Wilson and phone number [redacted]
- Videos stored on or after August 10, 2018 in the subscriber's iCloud account pertaining to subscriber Cody Wilson and phone number [redacted]
- iMessages, SMS, and MMS messages between subscriber and phone number [redacted] stored in the iCloud account pertaining to subscriber Cody Wilson and phone number [redacted] and
- iMessage query logs beginning August 10, 2018 for the account pertaining to subscriber Cody Wilson and phone number [redacted]
- Any other data or records stored in the iCloud account pertaining to subscriber Cody Wilson and phone number [redacted] which constitute evidence of Sexual Assault.

Said information constitutes evidence that the offense described in Paragraph 5, below, was committed and that said suspected party committed the offense described. Additionally, said information may reveal the identity of others conspiring with said suspected party to commit the offense described.

5. Affiant has probable cause for said belief by reason of the following facts and circumstances:

The following information is based on victim and witness statements, affiant's personal knowledge and information contained in Austin Police Department report 18-2340556.

On August 22nd, 2018, officers with the Austin Police Department responded to a call for service from a counselor who stated that a client, a juvenile female under the age of seventeen, advised her she had sex with a thirty-year-old male on August 15th 2018 and was paid $500.00 dollars. APD Child Abuse detectives received the report and scheduled a forensic interview at the Center for Child Protection. On August 27th, 2018, your affiant attended the forensic interview which was conducted by Grace Moon, a certified forensic interviewer employed by the Center for Child Protection. The juvenile female, who is fully identified in report 18-2340556 and hereafter will be referred to as Victim, told the forensic interviewer she had sex with a thirty-year-old male at a hotel in Austin, Texas and was paid five-hundred dollars by him.

The victim stated that she created an online profile using the website SugarDaddyMeet.com. The victim said she exchanged messages with a person who was using the screen name "Sanjuro." The victim stated that she and "Sanjuro" exchanged cell phone numbers and continued their conversation using the Apple iMessage service on her phone. The victim was interviewed again on August 30th, 2018 by Detective Watts. During that interview the victim stated that she had received images from "Sanjuro" of his penis and had sent a picture of herself naked.

The victim's parents consented for the Austin Police Department to search the Victim's phone. The Austin Police Department's Digital Forensics Unit searched the victim's cellular phone and discovered two hyperlinked messages to SugarDaddymeet.com. One of these hyperlinks contains the username "Sanjuro" in the link. This indicates the messages connected to that hyperlink were sent between the victim and "Sanjuro."

During this conversation, "Sanjuro" identified himself to the victim as "Cody Wilson." Victim said that "Sanjuro" described himself to the victim as a 'big deal'. Victim said she was

unaware of the name "Cody Wilson" and tried to learn more about him. The Victim found "Cody Wilson's" name on the internet and confirmed he was the subject of recent news articles. Victim stated that she and "Sanjuro" continued to text via Apple iMessage and arranged to meet on August 15th, 2018.

Your affiant located a Texas driver's license for Cody Rutledge Wilson, a white male born on January 31st, 1988. Your affiant compared Wilson's Texas driver's license image with the "Sanjuro" profile image on SugarDaddyMeet.com and recognized the images as depicting the same person.

The victim stated that on August 15th, 2018 she and Wilson met in person at Bennu Coffee on 515 South Congress Avenue, Austin Texas. Your affiant viewed Bennu Coffee video surveillance footage which showed the victim at 515 South Congress Avenue, Austin, Texas at approximately 8:09pm. Victim stated that she and Wilson met in the Bennu Coffee parking lot and left together in a black Ford Edge four-door sport utility vehicle. Your affiant learned that Cody Wilson's business, Defense Distributed, had registered a black 2015 Black Ford Edge bearing Texas vanity license plate B00150T.

Victim stated that she and Wilson traveled to the Archer Hotel, located at 3121 Palm Way, Austin, Texas in the black Ford Edge. Victim stated that Wilson parked at the Archer Hotel using the hotel's valet service. Your affiant reviewed Archer Hotel valet surveillance video and digital valet receipts from August 15th, 2018. The receipts corroborated the victim's statement and showed Wilson's valeted Black Ford Edge being returned to him approximately 9:17pm. The valet surveillance video recorded the victim exiting the Black Ford Edge's front passenger side door and Wilson exiting the driver's door at approximately 8:35pm.

Victim stated that she and Wilson walked into the hotel lobby, past a drinks bar, and then took an elevator to the seventh floor. Victim said they exited the elevator and walked together into room 718. Your affiant visited the Archer Hotel and followed the route described by the victim. Your affiant observed a drinks bar on the right side of the hotel lobby. Your affiant also reviewed Archer Hotel surveillance footage showing the victim and Wilson exiting an elevator onto the seventh floor around 8:37pm on August 15th, 2018; the video recorded the victim and

Wilson as they walked together towards guest rooms which were out of the camera's view. Your affiant also reviewed the Archer hotel registered guest ledger for August 15th, 2018. These Archer Hotel records showed that Wilson was the lone registered guest for room 718 on that date.

Victim stated while she was inside room 718, she and Wilson engaged in sexual intercourse and oral sex on the hotel room's bed. Victim stated that at the conclusion of sex, Wilson retrieved five $100.00 bills from a bag on the floor and gave her the five $100.00 bills. Your affiant reviewed more Archer Hotel surveillance video that showed the victim returning to the seventh floor elevator at approximately 9:19pm. The video showed Wilson and the victim enter the elevator. Archer Hotel valet surveillance video showed Wilson and the victim as they walked onto the valet platform from the main lobby and leave the hotel parking lot in the previously described Black Ford Edge.

Victim stated that Wilson drove her to the Whataburger restaurant on 3400 West Slaughter Lane. Your affiant obtained video surveillance videos from Whataburger for August 15th, 2018 at approximately 10:02pm; this video footage showed what your affiant believes is a Black Ford Edge enter the Whataburger parking lot from West Slaughter Lane and park in the Whataburger lot for approximately eight minutes. The video showed the victim exit the black Ford Edge's front passenger side and walk toward a parked vehicle.

You affiant has substantially corroborated the victim's statement made during a forensic interview. You affiant has identified the hotel and room number where the incident is alleged to have occurred and confirmed that Wilson was the lone registered guest. Your affiant has viewed numerous surveillance video footage from the Archer Hotel which corroborates the victim's statements, specifically entering and exiting the hotel and using the valet service. Your affiant also observed the victim and Wilson exit the hotel's elevators together towards Wilson's room.

Therefore, your affiant has probable cause to believe, and does believe, that Cody Wilson caused the penetration of the victim's sexual organ, at the Archer Hotel in Austin, Texas on August 15th, 2018, on which date the victim was under the age of seventeen. This conduct constitutes an offense under Texas Penal Code 22.011(a)(2)(A) Sexual Assault, a second degree

felony. Furthermore, affiant believes that messages, photographs, and other digital evidence are stored by Apple, Inc. and constitute evidence of that crime.

Affiant recognizes that many other individuals and entities utilize Apple, Inc. services and have no association with this investigation. These other unnamed individuals, and or other entities may have various amounts of information maintained in various forms with Apple, Inc. with a reasonable expectation of privacy. It is affiant's intent that the search conducted at Apple, Inc. be as unobtrusive as possible, and that it relate only to the above listed username and associated content. Further, it is affiant's intent to use whatever means or methodology is on hand to conduct this search, with limited or no interruption of the service provided to any other unnamed individuals who utilize the company's services. It is for these reasons that affiant requests that Apple, Inc. locate and isolate the above named information on their servers and make a copy of such information in a readable format to provide to affiant for review as part of this investigation.

Your affiant therefore asks for the issuance of a warrant that will authorize him to search said suspected data pertaining to said accounts for digital data and information pertaining to the offense of Texas Penal Code Section 22.011(a)(2)(A) Sexual Assault, and seize the same.

AFFIANT

SUBSCRIBED TO AND SWORN TO BEFORE ME BY SAID AFFIANT ON THIS THE 19 th DAY OF SEPTEMBER, 2018.

MAGISTRATE

Tamara Needles

Printed

457th District Court
AUSTIN, TRAVIS COUNTY, TEXAS