

See attached FO 597 (pages 1-4)

JOHN F. CONGOLAN, CLERK  
BY: *E. H. [Signature]*  
DEPUTY CLERK

Offender SA FBI

*Camela Meade Sargent*  
U.S. Judge or Magistrate Judge

5/31/05

Date \_\_\_\_\_

AO 93 (Rev. 8/98) Search Warrant

**SEALED****ORIGINAL**

## UNITED STATES DISTRICT COURT

WESTERN

DISTRICT OF VIRGINIA

## In the Matter of the Search of

(Name, address or brief description of person or property to be searched)

RR4, Box 531, Clintwood, Virginia 24228

**SEARCH WARRANT**

CASE NUMBER: 1:05mJ00029

TO: FBI Special Agent Douglas W. Fender and any Authorized Officer of the United States

Affidavit(s) having been made before me by FBI Special Agent Douglas W. Fender who has reason to  
Affiantbelieve that on the person of or ☒ on the premises known as (name, description and/or location)

The residence is described as a two story red brick house located in the Town of Clintwood. The address is RR4, Box 531, Clintwood, Virginia 24228. A rural mail box is located on the street identified as Market Street in front of the premises. Displayed on the outside of the rural mailbox is "RR4, Box 531". The premises to be searched includes all rooms, attic, basement and other parts therein and the surrounding and any garage, storage rooms and outbuildings of any kind located thereon.

in the Western District of Virginia there is now  
concealed a certain person or property, namely (describe the person or property)

See Attachment A

I am satisfied that the affidavit(s) and any record testimony establish probable cause to believe that the person or property so described is now concealed on the person or premises above-described and establish grounds for the issuance of this warrant.

YOU ARE HEREBY COMMANDED to search on or before June 3, 2005  
Date

(not to exceed 10 days) the person or place named above for the person or property specified, serving this warrant and making the search (in the daytime -- 6:00 A.M. to 10:00 P.M.) ~~(at any time in the day or night as I find reasonable cause, has been established)~~ and if the person or property be found there to seize same, leaving a copy of this warrant and receipt for the person or property taken, and prepare a written inventory of the person or property seized and promptly return this warrant to Pamela Meade Sargent, USMJ  
as required by law. U.S. Judge or Magistrate Judge

May 24, 2005 @ 1:07 p.m.  
Date and Time Issued

at Abingdon, Virginia  
City and State

Hon. Pamela Meade Sargent  
United States Magistrate Judge  
Name and Title of Judicial Officer

Pamela Meade Sargent  
Signature of Judicial Officer

### **Attachment A: Items to be seized**

Any and all documents,<sup>1</sup> information and other items evidencing violations of Title 17, United States Code, Section 506(a), and Title 18, United States Code, Sections 371 and 2319(a), including but not limited to the following:

1. Computer files protected by copyright, including but not limited to software, game and movie titles.
2. Documents or computer log files relating to copyright infringement, including but not limited to transfer logs.
3. Documents, information or computer files containing communications between individuals relating to copyright infringement, including but not limited to chat logs and emails.
4. Programs or software used by those engaging in copyright infringement, including but not limited to software that allows remote access and control of computer systems.
5. Documents, information or records, in whatever form, of user names and passwords to access the Elite Torrents ("ET") site and secure communication services.
6. Computer hardware, meaning any and all computer equipment. Included within the definition of computer hardware is any electronic device capable of data processing (such as central processing units, laptop or notebook computers, personal digital assistants, and wireless communication devices); peripheral input/output devices (such as keyboards, printers, scanners, plotters, monitors, and drives intended for removable media); related communications devices (such as modems, cables and connections); storage media, defined below; and security devices, also defined below.
7. Computer software, meaning any and all data, information, instructions, programs, or program codes, stored in the form of electronic, magnetic, optical, or other media, which is capable of being interpreted by a computer or its related components. Computer software may also include data, data fragments, or control characters integral to the operation of computer software, such as operating systems software, applications software, utility programs, compilers,

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<sup>1</sup>"Document" means the originals and any copies thereof (whether identical or different from the originals because of notes made on such copies or otherwise) of writings or images of every kind and description, and in any form; and any prior draft versions of such originals, whether inscribed by hand or mechanical, electronic, microfilm, photographic or other means, as well as video or phonic (such as electronic or tape recordings) or physical reproductions of oral statements, conversations, or events, and including, but not limited to, correspondence, memoranda, meeting minutes, notes, reports, plans, analytical data, diagrams, logs, teletype messages, compilations, studies and tallies, and any computer programs, computer media, computer flow charts, block diagrams, assembled computer programs and other computer service documentation which show computer program descriptions, computer logs, and historical data, and computer record layouts, including descriptions of coded data and handwritten instructions. The above-described items may be available in both hard copy (paper) media and/or in some computer media, including, but not limited to, magnetic tapes, magnetic disks, punched cards, magnetic cassettes, thumb drives, storage cards, CD Rom and floppy diskettes.

interpreters, communications software, and other programming used or intended to be used to communicate with computer components.

8. Computer-related documents that explain or illustrate the configuration or use of any seized computer hardware, software, or related items.

9. Data security devices, meaning any devices, programs, or data -- whether themselves in the nature of hardware or software -- that can be used or are designed to be used to restrict access to, or to facilitate concealment of, any computer hardware, computer software, computer-related documentation, or electronic data records. Such items include, but are not limited to, user names and passwords; data security hardware (such as encryption devices, chips, and circuit boards); data security software or information (such as test keys and encryption codes); and similar information that is required to access computer programs or data or to otherwise render programs or data into usable form.

10. Document, information or records, in whatever form, referencing or regarding activity involving the ET network, the ET site, or individuals who participate in the ET organization or other sites, networks or individuals involved in the illegal uploading or downloading of copyrighted material.

11. Storage media, defined below, which has been used or prepared for use either for periodic or random backup (whether deliberate, inadvertent, or automatically or manually initiated), of any computer or computer system used to conduct activity involving the ET network or which contains material or data obtained through activity involving the ET network.

12. Storage media capable of collecting, storing, maintaining, retrieving, concealing, transmitting, and using electronic data used to conduct activity involving the ET network or which contains material or data obtained through activity involving the ET network. Included within this paragraph is any information stored in the form of electronic, magnetic, optical, or other coding on computer media or on media capable of being read by a computer or computer-related equipment, such as fixed hard disks, external hard disks, removable hard disks, floppy diskettes, compact disks (CDs), digital video disks (DVDs), tapes, optical storage devices, laser disks, or other memory storage devices.

13. Documents, information or records, in whatever form, of personal and business activities relating to the operation and ownership of the computer systems, such as telephone records, notes, books, diaries, and reference materials.

14. Documents, information or records, in whatever form, pertaining to accounts held with Internet Service Providers or of Internet use.

15. Documents, information or records, in whatever form, relating to the ownership, occupancy, or use of the premises to be searched.

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
Receipt for Property Received/Returned/Released/SeizedFile # 295B-RH-67338On (date) 05-25-2005

item(s) listed below were:

- ☐ Received From  
☐ Returned To  
☐ Released To  
☒ Seized

(Name) DANIEL DOVE(Street Address) RR4 BOX 531(City) CLINTWOOD, VA

## Description of Item(s):

- 1) One White Generic Computer, No Model #, No Serial #, Tag "Purchased by ASUS"
- 2) One Black SViking Computer, No Model #, No Serial #, Tag "Purchased by ASUS"
- 3) One Acer AL1912 Monitor, SN: ETL230202250700658ED47
- 4) One Westell Versalink Model 327W Gateway, SN: 04Z412411685
- 5) One Micro innovations, Wireless Optical Mouse, SN: 044022062
- 6) One Micro innovations, Intelligent Wireless Keyboard, SN: 044022062
- 7) One Micro innovations, Receiver, SN: 045033768
- 8) One Value Disk, USB 2.0 Hi-Speed/1394 Combo Hard Drive, w/power cord
- 9) One Fujitsu Hard Drive, Model: MPC3043AT, SN: 01056000
- 10) CDs + DVDs, R<sup>TM</sup> loose, spindles, boxes, labeled + unlabeled
- 11) Misc Documents including pay stubs, telex envelopes, banking information, and others
- 12) 2 Brown Soft Cases w/DVD recordable
- 13) 1 Gray Soft Case w/CD recordable

Items 1-11 from upstairs roomItems 12-13 from Honda AccordReceived By: [Signature]  
(Signature)Received From: [Signature]  
(Signature)