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STATE OF MINNESOTA, COUNTY OF HENNEPIN

DISTRICT COURT

APPLICATION FOR SEARCH WARRANT

I, Chris Nybeck, a licensed peace officer in the State of Minnesota, make an application to this Court for a warrant to search the premises described below, for the property and thing(s) described below.

I know the content of this application and affirm that the statements contained in this application are true based on my own knowledge, or are believed to be true.

I believe that the following described property and thing(s), namely:

All contact and personal identifying information, including full name, user identification number, birth date, gender, contact e-mail addresses, Facebook passwords, Facebook security questions and answers, physical address (including city, state and zip code), telephone numbers, screen names, websites and other personal identifiers. All activity logs for the account and all other documents showing the user's posts and other Facebook activities. All photographs and videos uploaded by that user ID and all photographs and videos uploaded by any user that have that user tagged them. All profile information; News Feed information; status updates; links to videos, photographs, articles, and other items; Notes; Wall postings; friend lists, including the friend's Facebook user identification numbers; groups and networks of which the user is a member, including groups, Facebook group identification numbers; future and past even postings; rejected "Friend" requests; comments; gifts; pokes; tags; and information about the user's access and use of Facebook application. All other records of communications and messages made or received by the user, including all private messages, chat history, video calling history and pending "Friend requests". All "check ins" and other location information; all IP logs, including all records of the IP addresses that logged into the account; all records of the account's usage of the "Like" feature, including all Facebook posts and all non-Facebook webpages and content that the user has "liked"; all information about the Facebook pages that the account is or was a "fan" of; all past and present lists of friends created by the account; all records of Facebook searches performed by the account; all information about the user's access and use of Facebook Marketplace; the types of service utilized by the user; the length of service (including start date) and the means and source of any payments associated with the service (including any credit card or bank account number); all privacy settings and other account settings, including privacy settings for individual Facebook posts and activities, and all records showing which Facebook users have been blocked by the account; all records pertaining to communications between Facebook and any person regarding the user or

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the user's Facebook account, including contacts with the support services and records of actions taken. For the time period to include the past 60 days from present date.

<https://www.facebook.com/Blessed.The.MC>

profileid=1717247870

Non-Disclosure

Your affiant requests that Facebook, its agents and employees, shall not disclose the existence of this Order or the existence of this investigation to any person unless or until otherwise ordered by the court.

ITS FURTHER ORDERED that Facebook, its agents and employees, shall no disclose the existence of this order or the existence of this investigation to any person, unless or until otherwise ordered by the court.

is or are at the premises described as:

<https://www.facebook.com/Blessed.The.MC>
profileid=1717247870

Facebook Inc
1601 Willow Road
Menlo Park, CA 94025
records@facebook.com

This search is of records held by an out-of-state corporation, Facebook Inc, doing business in city or township of Minneapolis, County of Hennepin, State of Minnesota.

I apply for a search warrant on the following grounds:

- The property or things above-described constitutes evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.

The facts establishing the grounds for issuance of a search warrant are as follows:

The foregoing grounds for the issuance of a search warrant are as follows:

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Your affiant, Detective Christofer Nybeck, is a licensed Law Enforcement Officer with the Hennepin County Sheriff's Office and has been so since January of 2002. Your affiant has been assigned as an investigator within the Hennepin County Sheriff's Office continuously since September of 2005. While in the capacity of an investigator, your affiant has investigated numerous crimes that have led to the convictions of suspects at the State and Federal levels in the Criminal Justice System. Additionally, your affiant has continuously attended and successfully passed numerous law enforcement schools designed for investigators since 2005.

In the late evening of 9-7-2019 Brian Jesus Quinones Rosario DOB 12-26-1988 was involved in an OIS (Officer Involved Shooting) in the City of Richfield, MN while driving a silver Honda Civic bearing MN plate 761-MWE (herein referred to as "vehicle"). As a result of this OIS Quinones-Rosario was pronounced dead at the scene by EMS (Emergency Medical Services) in the late evening hours of 9-7-2019.

Your affiant has been assigned as the lead investigator in Quinones-Rosario's death and as of 9-9-2019 your affiant has learned the following:

In speaking with a family member of Quinones-Rosario in the early morning hours of 9-8-2019 your affiant learned that Quinones-Rosario was displaying odd and erratic behavior earlier that night that concerned this family member to the point that the family member attempted to follow and find Quinones-Rosario after he rapidly departed the family member's residence in the above listed vehicle.

In the early morning hours of 9-8-2019 your affiant learned from the Ramsey County Sheriff's Office, and then later from local media outlets, that Quinones-Rosario was live streaming his police pursuit on Facebook Live. Your affiant has not reviewed the entire Facebook Live stream of Quinones-Rosario that night (9-7-2019) but was able to observe shorter segments of this video that detailed Quinones-Rosario driving while police lights and sirens were observed over his shoulder as he was driving away from them. Additionally your affiant observed Quinones-Rosario stop his vehicle and quickly exit the vehicle with what appeared to be a knife in his hand. Your affiant learned that Quinones-Rosario's Facebook Live stream continued to air and record for an additional and approximate 90 minutes after Quinones-Rosario was shot by Law Enforcement that night. It was learned that a Hennepin County Sheriff's Office Crime Lab Tech was observed turning off Quinones-Rosario's phone which was located in the vehicle by viewing Quinones-Rosario's Facebook Live stream. The Hennepin County Sheriff's Office CISA Unit (Criminal Informaton and Sharing Analysis) was able to identify Quinones-Rosario's Facebook account as <https://www.facebook.com/Blessed.The.MC/profileid=1717247870>. Quinones-Rosario's above listed Facebook account was the account that Quinones-Rosario was Facebook Live streaming his pursuit by Law Enforcement on 9-7-2019.

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On 9-9-2019 your affiant received a written report from the Stillwater MN DOC prison detailing an interaction with inmate William Santiago. In review of this report dated 9-8-2019 your affiant learned that Mr. Santiago is Quinones-Rosario's father and that Mr. Santiago expressed his grief to MN DOC staff members regarding his son's death. Additionally Mr. Santiago stated that Quinones-Rosario went to multiple family members prior to his death and "thanked" each one of them, drove recklessly to attract Law Enforcement's attention on 9-7-2019 and exited his vehicle with a knife. Finally Mr. Santiago stated "yes" to MN DOC staff members when they asked Mr. Santiago if Quinones-Rosario's actions that night were for the purpose of "suicide by cop".

On 9-13-2019 your affiant conducted a digitally recorded interview with Mr. Santiago at the Stillwater MN DOC. In that interview Mr. Santiago informed your affiant that Quinones-Rosario made a statement to Mr. Santiago during the week of 9-1-2019 that he (Quinones-Rosario) did not have any friends, he told his brother "Joshua" that he loved him and that he was having problems with his young child [REDACTED] (Quinones). Mr. Santiago stated that Quinones-Rosario had not mentioned "not having any friends" for a few years. Mr. Santiago stated that the most important person in Quinones-Rosario's life was his son. Mr. Santiago stated that [REDACTED] was rebelling from Quinones-Rosario and that [REDACTED] did not want to spend time with his father (Quinones-Rosario).

Your affiant observed a black cellular phone resting on the vehicle's dashboard that would provide the same angle of view that was observed on Quinones-Rosario's Facebook Live stream from earlier that night and detailed his pursuit by Law Enforcement. Prior to transporting this vehicle to the Hennepin County Sheriff's Office Patrol garage for temporary secured storage your affiant conducted a brief inventory search of the vehicle for dangerous items and weapons and for items of financial value. At this time your affiant placed the black cellular phone that Quinones-Rosario was using to Facebook Live stream in the vehicle's center console.

Through training and experience your affiant has learned that today's individuals are using their social media to communicate with each other. The communications include wall postings, photographs, videos and messaging each other using private inboxes. Your affiant also knows that through training and experience that individuals will communicate their intentions, feelings and future acts, to include acts of violence on Facebook. These intentions and future acts by the individual have resulted in violence at times.

Based on your affiant's training and experience your affiant believes that these individuals are using social media, more specifically Facebook to post threats, photographs of themselves and potentially sending private messages discussing their intentions, future acts,

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"state of mind" and their current opinions and feelings. Furthermore your affiant has learned through training and experience that individuals will send information through Facebook's private messaging service in order to avoid detection of illegal activity by law enforcement.

The Facebook account of Quinones-Rosario has been identified as:

<https://www.facebook.com/Blessed.The.MC> profileid=1717247870

Your affiant believes that the above individual may have information and evidence of his intentions, feelings and "state of mind" (past and present) related to his actions on 9-7-2019 stored on their Facebook account through messages, photographs, etc. that may not be viewable to the general public.

Therefore, your affiant respectfully requests a daytime search warrant be granted for information contained in the above mentioned Facebook accounts and to allow Facebook to retrieve and provide your affiant items and information within the scope of the search warrant.

Non-Disclosure:

Your affiant requests that Facebook, its agents and employees, shall not disclose the existence of this Order or the existence of this investigation to any person, unless or until otherwise ordered by the court.

IT IS FURTHER ORDERED that Facebook, its agents and employees, shall not disclose the existence of this Order or the existence of this investigation to any person, unless or until otherwise ordered by the court

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I request a search warrant be issued, commanding Chris Nybeck, Detectives Nestrud, Hopkins and Braun, peace officers of the State of Minnesota, and any other authorized person, to enter and search between the hours of 7 a.m. and 8 p.m. to search the above described premises for the described property and thing(s), and to seize and keep said property and thing(s) in custody until dealt with according to law.

I declare under penalty of perjury that everything stated in this document is true and correct.

Applicant: Chris Nybeck
Hennepin County Sheriff
Electronically Signed
09/12/2019 2:57 PM
Hennepin County, Minnesota

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STATE OF MINNESOTA, COUNTY OF HENNEPIN

DISTRICT COURT

SEARCH WARRANT

TO: CHRIS NYBECK, DETECTIVES NESTRUD, HOPKINS AND BRAUN PEACE OFFICERS OF THE STATE OF MINNESOTA.

WHEREAS, Chris Nybeck has this day on oath made an application to this Court for a warrant to search the following described premises :

<https://www.facebook.com/Blessed.The.MC>
profileid=1717247870

Facebook Inc
1601 Willow Road
Menlo Park, CA 94025
records@facebook.com

This search is of records held by an out-of-state corporation, Facebook Inc, doing business in city or township of Minneapolis, State of Minnesota for the following described property and thing(s):

All contact and personal identifying information, including full name, user identification number, birth date, gender, contact e-mail addresses, Facebook passwords, Facebook security questions and answers, physical address (including city, state and zip code), telephone numbers, screen names, websites and other personal identifiers. All activity logs for the account and all other documents showing the user's posts and other Facebook activities. All photographs and videos uploaded by that user ID and all photographs and videos uploaded by any user that have that user tagged them. All profile information; News Feed information; status updates; links to videos, photographs, articles, and other items; Notes; Wall postings; friend lists, including the friend's Facebook user identification numbers; groups and networks of which the user is a member, including groups, Facebook group identification numbers; future and past even postings; rejected "Friend" requests; comments; gifts; pokes; tags; and information about the user's access and use of Facebook application. All other records of communications and messages made or received by the user, including all private messages, chat history, video calling history and pending "Friend requests". All "check ins" and other location information; all IP logs, including all records of the IP addresses that logged into the account; all records of the account's usage of the "Like" feature, including all Facebook posts and all non-Facebook webpages and content that the user has "liked"; all information about the Facebook pages that the account is or was a "fan" of; all past and

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present lists of friends created by the account; all records of Facebook searches performed by the account; all information about the user's access and use of Facebook Marketplace; the types of service utilized by the user; the length of service (including start date) and the means and source of any payments associated with the service (including any credit card or bank account number); all privacy settings and other account settings, including privacy settings for individual Facebook posts and activities, and all records showing which Facebook users have been blocked by the account; all records pertaining to communications between Facebook and any person regarding the user or the user's Facebook account, including contacts with the support services and records of actions taken. For the time period to include the past 60 days from present date.

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profileid=1717247870

Non-Disclosure

Your affiant requests that Facebook, its agents and employees, shall not disclose the existence of this Order or the existence of this investigation to any person unless or until otherwise ordered by the court.

ITS FURTHER ORDERED that Facebook, its agents and employees, shall no disclose the existence of this order or the existence of this investigation to any person, unless or until otherwise ordered by the court.

WHEREAS, the application of Chris Nybeck was duly presented and read by the Court, and being fully advised in the premises.

NOW, THEREFORE, the Court finds that probable cause exists for the issuance of a search warrant upon the following ground(s):

- The property or things above-described constitutes evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.

The court further finds that probable cause exists to believe that the above-described property

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and thing(s) is or are at the above-described premises

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NOW, THEREFORE, you Chris Nybeck, Detectives Nestrud, Hopkins and Braun, peace officers of the State of Minnesota, and any other authorized person, are hereby commanded to enter and search between the hours of 7 a.m. and 8 p.m., to search the above-described premises, for the described property and thing(s), and to seize and keep said property and thing(s) in custody until dealt with according to law.

BY THE COURT

ISSUED ON: 12 September, 2019

Judicial Officer: Peter A Cahill

Judge of District Court

Electronically Signed

09/12/2019 3:14 PM



RECEIPT, INVENTORY AND RETURN

STATE OF MINNESOTA, COUNTY OF Hennepin District COURT

I, Det Nybeck, received the attached search warrant issued by the Honorable Judge Cahill, on 9-12, 2019, and have executed it as follows:

Pursuant to said warrant, on 9-13, 2019, at 2:00 o'clock PM, I searched the (premises) (motor vehicle) (person) described in said warrant, and left a true and correct copy of said warrant (with) (in) (at) Facebook Inc 1601 Willow Rd Menlo Park, CA 94025

I took into custody the property and things listed below: (attach and identify additional sheet if necessary)

- Records are forthcoming

(Strike when appropriate:)

I left a receipt for the property and things listed above with a copy of the warrant.
~~None of the items set forth in the search warrant were found.~~
I shall (retain) or (deliver) custody of said property as directed by Court order.

Det Chris Nybeck, being first duly sworn, upon oath, deposes and says that he has read the foregoing receipt, inventory and return and the matters stated are true and correct, except as to such matters stated therein on information and belief, and as to those, he believes them to be true.

Subscribed and sworn to before me this 20 day of September, 2019

Samantha J. Grates Hennepin
Notary Public, County, MN

[Signature]
Signature

My commission expires 1/31/23

