

AFFIDAVIT IN SUPPORT OF ARREST WARRANT
(M.R.Crim.P. 4(b)) AND INITIAL DETERMINATION
OF PROBABLE CAUSE (M.R.Crim.P. 5(d))

To: Any Judge of the District Court or Justice of the Peace.

I, Victoria Lane, being a duly sworn and deposed Maine State Police Detective, state the following:

I am employed as a detective with the Maine State Police and currently assigned to the Major Crimes Unit, Southern Field Division. I am a sworn law enforcement officer and a 2020 graduate of the Maine State Police Academy. The statements contained in the affidavit are based upon my knowledge and experience and on information received from other individuals and other law enforcement officers as set forth below.

The following facts and circumstances lead this affiant to believe that **Robert Card** (DOB: 04/04/1983) committed eighteen (18) counts of Murder in violation of 17-A M.R.S. Sec. 201, in the city of Lewiston, Maine, on or about October 25, 2023:

1. On 03/25/2023 at 1856 hours, Auburn Communication Center received a first report of a male shooting inside Just In Time Recreation (also known as Sparetime Recreation) located at 24 Mollison Way in Lewiston. The Auburn Communication Center subsequently received numerous 911 calls reporting multiple victims at this location.
2. At 1908 hours, Auburn Communication Center received multiple reports of an active shooter inside Schemengee's Billards located at 553 Lincoln Street in Lewiston.
3. At 2048 hours, Androscoggin Sheriff's Office Detective Maurice Drouin obtained video surveillance footage from Schemengee's. The video showed a white male exit a white passenger vehicle armed with an assault rifle and make entry into the establishment. A screenshot of the white passenger vehicle was distributed to investigating law enforcement personnel.
4. At 2113 hours, I made entry into Just In Time Recreation. I observed seven (7) deceased individuals inside the establishment with one (1) being a female and the rest

males. The victims had sustained apparent gunshot wounds. I observed numerous rifle cartridges on the ground throughout the premises.

5. At 2126 hours, Lewiston Police Department Chief David St. Pierre received a phone call from N [REDACTED] H [REDACTED] stating the male in the distributed suspect photograph was her brother, Robert Card.
6. At 2147 hours I made entry into Schemengee's. I observed seven (7) deceased males inside and one (1) additional deceased male was located outside. The victims each sustained apparent gunshot wounds. I observed numerous rifle cartridges on the ground throughout the premises.
7. At 2156 hours, Lisbon Police Department advised officers located a Subaru at the Pejepscoot boat launch.
8. At 2157 hours, Maine State Police Detective Conner Walton conducted a reverse vehicle registration search on Robert. The DMV return indicated a white 2013 Subaru Outback bearing ME PC 9246PD was registered to Robert Card.
9. At 2201 hours, Lisbon Police Department confirmed the Subaru in the Pejepscoot boat launch was the suspect's vehicle.
10. At 2203 hours, Maine State Police Detective Justin Huntley interviewed N [REDACTED] H [REDACTED] at Lewiston Police Department. Ms. H [REDACTED] told Det. Huntley that Robert has been delusional since February 2023 after a bad break-up. N [REDACTED] explained to Det. Huntley that since the break-up, Robert has had significant weight loss, has been hospitalized for mental health issues and prescribed medication that he stopped taking. N [REDACTED] H [REDACTED] described Robert as being very interested in firearms and owned a lot of them to include assault rifles and handguns. N [REDACTED] H [REDACTED] said that Robert believed there was a conspiracy against him and people were accusing him of being a pedophile. Robert believed businesses were broadcasting online that Robert was a pedophile. N [REDACTED] H [REDACTED] told Det. Huntley that the following businesses: Sparetime Recreation; Schemengee's; Gowell's Market in Litchfield; and, Mixers Nightclub in Sabattus were the businesses that were broadcasting that Robert was a pedophile. . Robert also believed that his family was involved in the conspiracy.
11. At 2330 hours, Maine State Police Sergeant Jesse Duda spoke with Robert's brother, R [REDACTED] C [REDACTED] R [REDACTED] C [REDACTED] told Sgt. Duda that Robert had been in a relationship with a

person named J [REDACTED] C [REDACTED] the past few months before J [REDACTED] C [REDACTED] ended he relationship. R [REDACTED] C [REDACTED] stated that Robert met J [REDACTED] C [REDACTED] at a cornhole competition at Schemengee's. R [REDACTED] C [REDACTED] said that ever since the relationship ended Robert started wearing hearing aids and had been saying crazy things.

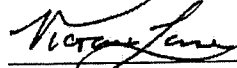
12. At 2345 hours, I watched a portion of the video footage from Schemengee's. I observed the male walk through the bar while seeking out and shooting at patrons. The male in the footage was similar in appearance to the DMV photograph of Robert.
13. On October 26, 2023 at 0115 hours, Lisbon Police Department officers told Sgt. David Levesque of Lewiston Police Department who then told your affiant that they observed a long rifle in the Subaru that was located at the Pejepscoot boat launch .
14. The Subaru that was located at the Pejepscoot boat launch was sized and transported to a secured location. At 0229 hours, I spoke with Trooper Jason Wing who was escorting the Subaru from the Pejepscoot boat launch to a secure location. Trooper Wing advised that located in plain view in the passenger area of the vehicle was paperwork containing Robert's name. Trooper Wing confirmed the vehicle's DMV registration returned to Robert Card.
15. Eight of the eighteen deceased have been identified as follows;
 - a. Thomas Ryan Conrad
 - b. Michael Deslauriers, II
 - c. Jason Adam Walker
 - d. Robert E. Violette
 - e. William Young
 - f. Tricia Asselin
 - g. William Brackett
 - h. Keith Macneir

The ten remaining victims have not yet been identified.

In light of all the above stated facts, your affiant has probable cause to believe that Robert Card has committed eighteen (18) counts of the crime of Murder 17-A M.R.S. Sec. 201.

WHEREFORE, your affiant prays that a warrant of arrest issue for Robert Card (04/04/1983) for the crime of Murder in violation of 17-A M.R.S. Sec. 201 and that the defendant be held without bail until his first court appearance in Maine.

I, Victoria Lane, depose and swear, upon information and belief, that all of the information contained within this Probable Cause Affidavit is both truthful and accurate to the best of my knowledge.



Victoria Lane
Detective, Maine State Police

Subscribed and sworn to by Detective Victoria Lane before me this 26th day of October, 2023.



Judge, Maine District Court

STATE OF MAINE

SAGADAHOC, SS

DISTRICT COURT
SITTING AT WEST BATH
CRIMINAL ACTION
DOCKET NO. 2023-163

IN RE: SEARCH WARRANT FOR
A WHITE 2013 SUBARU OUTBACK,
VIN #4S4BRDLC8D2257621

IN RE: SEARCH WARRANT FOR
[REDACTED] WEST ROAD, BOWDOIN,
MAINE

SEARCH WARRANT
(M.R. CRIM. P. 41)

TO: Any officer authorized by law to execute this search warrant. On the basis of the

[x] Affidavit by: Det. Victoria Lane - Maine State Police dated October 26, 2023;
which affidavit is attached to the original hereof and made a part thereof to be filed in the
District Court;

I am satisfied that there is probable cause to believe that there are grounds for the
issuance of a search warrant. You are therefore commanded to search the place(s) and/or
person(s) described below for the property and/or person(s) described below and, if the
property and/or person(s) is/are found, to seize such property and/or person(s) and
prepare a written inventory of the property seized.

Place(s), person(s), or vehicle(s) to be searched:

- White 2013 Subaru Outback which bears Maine "Passenger Car" license plate
9246PD and vehicle identification number 4S4BRDLC8D2257621.
The vehicle is currently located within the garage bay of Maine State Police
Crime Lab in Augusta, Maine.
- [REDACTED] West Road, Bowdoin ME 04287. This residence is white/light gray
single wide mobile home with a short gravel driveway. The residence sits
perpendicular to the road. The entrance to the residence is on its left side. To
the left of the residence is a large blue metal garage. There is a lean to shed off
to the right of the garage. The residence is currently secured by the South
Portland Police Department.

Property or article(s) to be searched for:

- Any and all firearms.
- Any and all firearm ammunition to include spent ammunition casings.
- Any telephones, cellular telephone(s), computers, and or/electronic memory storage devices and their contents.
- Blood samples, hairs, fibers, bone or bone fragments, bodily fluids or other trace evidence for purpose of identification and/or comparison.
- Any and all personal documents of Robert Card
- All property that could constitute evidence of the commission of a crime.
- Latent prints and DNA.
- Medications prescribed to Robert Card

Name of owner or occupant of premises, if known:

- Robert Card date of birth 04/04/1983

All of the above being seizable pursuant to Rule 41 of the Maine Rules of Criminal Procedure as (a) evidence of a violation of Title 17-A of the Maine Revised Statutes Annotated; (b) property designed or intended to be used or which is or has been used as the means of committing a criminal offense under Chapter 9 of Title 17-A M.R.S.A; (c) evidence of a violation of Title 17-A section 201 and/or the fruits of a crime.

X

DAYTIME WARRANT ONLY

This warrant shall be executed between the hours of 7:00 AM. And 9:00 P.M. and shall be returned, together with a written inventory, within 10 days of the issuance hereof, to the Lewiston District Court of Maine.

EITHER NIGHTTIME OR DAYTIME WARRANT

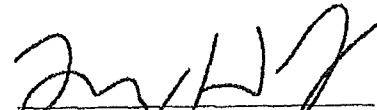
For reasonable cause shown in the affidavit(s)/evidence, this warrant may be executed in the daytime or in the nighttime (09:00 P.M. to 7:00 P.M.) and shall be returned together with a written inventory, within 10 days of the issuance hereof, to the West Bath Division of the Sagadahoc District of the District Court of Maine

UNANNOUNCED EXECUTION OF SEARCH WARRANT

For reasonable cause shown, this warrant may be executed by an officer without providing notice of the officer's purpose and office.

Issued at Hallowell in the County of Kennebec on this 26th day October
2023

Time issued: 9:38 AM/PM



Judge, Maine District Court
Justice, Maine Superior Court
~~Justice of the Peace~~

STATE OF MAINE

SAGADAHOC,SS

DISTRICT COURT
SITTING AT WEST BATH
CRIMINAL ACTION
DOCKET NO. 22163

IN RE: SEARCH WARRANT FOR
A WHITE 2013 SUBARU OUTBACK,
VIN #4S4BRDLC8D2257621

IN RE: SEARCH WARRANT FOR
[REDACTED] WEST ROAD, BOWDOIN,
MAINE

**AFFIDAVIT AND REQUEST FOR SEARCH WARRANT
(M.R. CRIM. P. 41)**

To: Any Judge of the District Court or Justice of the Peace:

I, Victoria Lane, being duly sworn by oath, affirm that I have been a Detective for the Maine State Police, State of Maine, since 2022 and have been employed by the Maine State Police Department since 2019. I hereby apply for a search warrant to search the vehicle described below and to seize the property, also described below. I have probable cause to believe, and do believe, that there is evidence of the commission of a crime, to wit:

- Murder, 17-A M.R.S. 201-1(A)

Part I: Located on or about the property/premises described below, namely:

- White 2013 Subaru Outback which bears Maine "Passenger Car" license plate 9246PD and vehicle identification number 4S4BRDLC8D2257621. The vehicle is currently located within the garage bay of Maine State Police Crime Lab in Augusta, Maine.
- [REDACTED] West Road, Bowdoin ME 04287. This residence is white/light gray single wide mobile home with a short gravel driveway. The residence sits perpendicular to the road. The entrance to the residence is on its left side. To the left of the residence is a large blue metal garage. There is a lean to shed off to the right of the garage. The residence is currently secured by the South Portland Police Department.

Name of owner:

- Robert Card, date of birth 04/04/1983

Description: [X] Building [X] Vehicle [] Person [] Computer [] Other (records)

Part II: Property or article(s) to be searched for:

- Any and all firearms.
- Any and all firearm ammunition to include spent ammunition casings.
- Any telephones, cellular telephone(s), computers, and or/electronic memory storage devices and their contents.
- Blood samples, hairs, fibers, bone or bone fragments, bodily fluids or other trace evidence for purpose of identification and/or comparison.
- Any and all personal documents of Robert Card
- All property that could constitute evidence of the commission of a crime.
- Latent prints and DNA.
- Medications prescribed to Robert Card

Reason for Seizure:

- property that constitutes evidence of the commission of a criminal offense.
 contraband under 17-A. M.R.S.A. ss _____ to wit, _____
(Crime) (17-A. M.R.S.A. ss _____).
 property designed or intended for use or which is or has been used as the means of committing a criminal offense.
 person for whose arrest there is probable cause or who is unlawfully restrained

Part III: My conclusion that such probable cause exists is based on the following factual information:

A. Introduction

1. I, Victoria Lane, a Detective for the Maine State Police Major Crimes Unit, make this affidavit in support of an application for a search and seizure warrant under Title 16, Chapter 3, Subchapters 10 & 11 as well as Rule 41B of the Maine Rules of Unified Criminal Procedure.
2. This affidavit is intended to show that there is sufficient probable cause for the requested search and seizure warrant and does not necessarily set forth all of my knowledge about this matter. The statements contained in this affidavit

are based upon the following: my own personal knowledge; knowledge obtained from other individuals during my participation in this investigation, including other law enforcement officers; interviews of witnesses; my review of records related to the events and circumstances described herein; and information gained through my training, education, and experience.

B. Experience

1. I, Victoria Lane, am a Detective with the Maine State Police. I graduated from the 73rd Maine State Police Recruit Training Troop in March of 2020. My training and experience include the investigation of major criminal cases including, but not limited to, aggravated assault crimes and murder.
2. I have authored and assisted in the execution of numerous search-and-seizure warrants during my tenure as a law enforcement officer.
3. I have personal knowledge of the facts and circumstances hereinafter related as a result of an investigation I responded to on 10/25/2023.

C. Specific Probable Cause

1. On 03/25/2023 at 1856 hours, Auburn Communication Center received a first report of a male shooting inside Just In Time Recreation (also known as Sparetime Recreation) located at 24 Mollison Way in Lewiston. The Auburn Communication Center subsequently received numerous 911 calls reporting multiple victims at this location.
2. At 1908 hours, Auburn Communication Center received multiple reports of an active shooter inside Schemengee's Billards located at 553 Lincoln Street in Lewiston.
3. At 2048 hours, Androscoggin Sheriff's Office Detective Maurice Drouin obtained video surveillance footage from Schemengee's. The video showed a white male exit a white passenger vehicle armed with an assault rifle and make entry into the establishment. A screenshot of the white passenger vehicle was distributed to investigating law enforcement personnel.
4. At 2113 hours, I made entry into Just In Time Recreation. I observed seven (7) deceased individuals inside the establishment with one (1) being a female and the rest males. The victims had sustained apparent gunshot wounds. I observed numerous rifle cartridges on the ground throughout the premises.
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8. At 2157 hours, Maine State Police Detective Conner Walton conducted a reverse vehicle registration search on Robert. The DMV return indicated a white 2013 Subaru Outback bearing ME PC 9246PD was registered to Robert Card.
9. At 2201 hours, Lisbon Police Department confirmed the Subaru in the Pejepscot boat launch was the suspect's vehicle.
10. At 2203 hours, Maine State Police Detective Justin Huntley interviewed N [REDACTED] H [REDACTED] at Lewiston Police Department. Ms. H [REDACTED] told Det. Huntley that Robert has been delusional since February 2023 after a bad break-up. N [REDACTED] explained to Det. Huntley that since the break-up, Robert has had significant weight loss, has been hospitalized for mental health issues and prescribed medication that he stopped taking. N [REDACTED] H [REDACTED] described Robert as being very interested in firearms and owned a lot of them to include assault rifles and handguns. N [REDACTED] H [REDACTED] said that Robert believed there was a conspiracy against him and people were accusing him of being a pedophile. Robert believed businesses were broadcasting online that Robert was a pedophile. N [REDACTED] H [REDACTED] told Det. Huntley that the following businesses: Sparetime Recreation; Schemengee's; Gowell's Market in Litchfield; and, Mixers Nightclub in Sabattus were the businesses that were broadcasting that Robert was a pedophile. Robert also believed that his family was involved in the conspiracy.
11. At 2330 hours, Maine State Police Sergeant Jesse Duda spoke with Robert's brother, R [REDACTED] C [REDACTED] R [REDACTED] C [REDACTED] told Sgt. Duda that Robert had been in a relationship with a person named J [REDACTED] C [REDACTED] the past few months before J [REDACTED] C [REDACTED] ended the relationship. R [REDACTED] C [REDACTED] stated that Robert met J [REDACTED] C [REDACTED] at a cornhole competition at Schemengee's. R [REDACTED] C [REDACTED] said that ever since the relationship ended Robert started wearing hearing aids and had been saying crazy things.
12. At 2345 hours, I watched a portion of the video footage from Schemengee's. I observed the male walk through the bar while seeking out and shooting at patrons. The male in the footage was similar in appearance to the DMV photograph of Robert.
13. On October 26, 2023 at 0115 hours, Lisbon Police Department officers told Sgt. David Levesque of Lewiston Police Department who then told your affiant that they observed a long rifle in the Subaru that was located at the Pejepscot boat launch.
14. The Subaru that was located at the Pejepscot boat launch was sized and transported to a secured location. At 0229 hours, I spoke with Trooper Jason Wing who was escorting the Subaru from the Pejepscot boat launch to a secure location. Trooper Wing advised that located in plain view in the passenger area of the vehicle was paperwork containing Robert's name. Trooper Wing confirmed the vehicle's DMV registration returned to Robert Card.

15. At 0257 hours Det. Cpl. Bond conducted an interview with T [REDACTED] D [REDACTED] at his residence of [REDACTED] in the town of [REDACTED]. T [REDACTED] informed Det. Cpl. Bond that he was best friends with R [REDACTED] C [REDACTED] who is the brother of Robert Card. T [REDACTED] stated that he knows Robert has multiple rifles, one of which he believes has a thermal optic mounted on it. T [REDACTED] informed Det. Cpl. Bond that Robert only has one vehicle which is a Subaru. T [REDACTED] stated that Robert has a red and white, on/off road, Yamaha dirt bike which should be stored in the garage or in an outside storage area of Robert's residence in Bowdoin. T [REDACTED] stated that Robert also has a large jet-ski which should be at his residence in Bowdoin.

16. Eight of the eighteen deceased have been identified as follows;

- a. Thomas Ryan Conrad
- b. Michael Deslauriers, II
- c. Jason Adam Walker
- d. Robert E. Violette
- e. William Young
- f. Tricia Asselin
- g. William Brackett
- h. Keith Macneir

The ten remaining victims have not yet been identified.

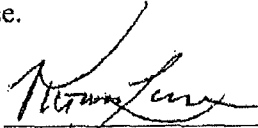
I request that a search be issued which may be executed during daytime hours (7:00 AM. to 9:00 P.M.).

I request that a search warrant be issued which may be executed either during the daytime or nighttime. The following grounds are reasonable cause for allowing the search warrant to be executed during the nighttime hours (9:00 P.M. to 7:00 A.M).

I request that a search warrant be issued which may be served without providing notice of the officer's purpose and office. The following grounds are reasonable cause for allowing the search warrant to be served without providing notice of the officer's purpose and office:

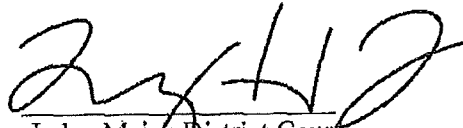
- that the property sought may be quickly or easily altered, destroyed, concealed, removed or disposed of if prior notice is given;
- that the escape of the person sought may be facilitated if prior notice is given;
- that the person sought, the person from whom or from whose premises the property is sought, or an occupant thereof, may use deadly or non-deadly force in resistance to the execution of the warrant, and dispensing with prior notice is more likely to ensure the safety of officers, occupants or others, or;
- that such facts and circumstances exist as would render reasonable the

warrant's execution without notice.



Victoria Lane
Detective, Maine State Police

Subscribed and sworn to by Detective Victoria Lane before me this 26th day of October
2023



Judge Maine District Court
Justice, Maine Superior Court
Justice of the Peace

Search Warrant

STATE OF MAINE
ANDROSCOGGIN, ss.

UNIFIED CRIMINAL COURT
LOCATION: Lewiston
DOCKET NO. SW 23105

IN RE: SEARCH WARRANT FOR)
WHITE 2013 SUBARU OUTBACK)
BEARING MAINE PC 9246PD)
OWNED BY ROBERT CARD)

SEARCH WARRANT
[M.R.U. Crim. P. 41 & 41B]

To: Any officer authorized by law to execute this Search Warrant;

Affidavit having been made before me by Benjamin Handzel of the Maine State Police; and as I am satisfied that there is probable cause to believe that grounds for the issuance of a search warrant exist; you are hereby commanded to search the place(s) or person(s) specified herein and, if the specified property is found, to seize such property and prepare a written inventory of the property seized.

Part I: Located on or about the property described below, namely:

- A. A White 2013 Subaru Outback registered to ROBERT CARD (DOB 04/04/1983) with Maine Passenger Car Plate 9246PD and VIN #4S4BRDLC8D2257621, currently at the Maine State Police Crime Lab in Augusta.
- B. Any and all electronic systems onboard the vehicle that collects, maintains, and/or stores data including but not limited to the vehicle's infotainment system and/or telematics devices with the above described vehicle.

PART II: There is certain evidence or property, namely:

- A. Based upon the affidavit, I find that there is probable cause to believe the property listed above either contains evidence of, or itself constitutes an instrumentality of Murder of 17-

Search Warrant

A M.R.S. § 201, is subject to search under M.R.U. Crim. P. 41 & 41B, and should therefore be seized and searched for the following items:

1. Live and deleted user attribution data including user accounts, e-mail accounts, passwords, PIN codes, patterns, methods of payment, account names, user names, screen names, remote data storage accounts, documents, files, metadata, log files, user voice profiles and other biometric identifiers or any other information and evidence that may demonstrate attribution to a particular user or users;
2. Live and deleted historical navigation data tracks, routes, and waypoints, GPS fixes, favorites, past journeys, trip logs, and user entered data, Latitude, Longitude, and Altitude coordinates, and related dates and times;
3. Live and deleted logs, records, documents, and other items that may constitute evidence, contraband, fruits, and/or instrumentalities of violations of crime(s) listed;
4. Live and deleted contact lists, call logs, text messages and multimedia messages (SMS and MMS messages), e-mails, chats, video conference communication data, contact information, installed application information including their content and any other information which can be used to identify potentially associated persons;
5. Live and deleted passwords, password files, PIN codes, encryption codes, or other information necessary to access the digital device or data stored on the digital device such as hidden file applications;
6. Live and deleted documents, programs, pictures, videos, audio files, text files, databases, application data, calendar entries, user dictionaries, malware, viruses, tracking or other remote monitoring software, and any associated metadata;
7. Live and deleted web browser history, web browser bookmarks, temporary Internet files, cookies, searched items, downloaded and uploaded files, social networking websites or applications; and

Search Warrant

8. Live and deleted data stored on removable media such as Subscriber Identity Modules (SIM cards), flash memory storage devices such as Secure Digital (SD) and Micro SD media cards and any associated wireless devices (Bluetooth, Wi-Fi, or other technology).
9. Any and all data stored in the infotainment or telematics system of a white colored 2013 Subaru Outback, bearing VIN # 4S4BRDLC8D2257621 and ME Registration 9246PD. The vehicle is currently registered to Robert Card, DOB 04/04/1983 with an address of 941 Meadow Road, Bowdoin Maine.

Your affiant or others from my department/agency will review the material received for evidence relating to Murder in order to extract information that falls under the search warrant parameters. The seized material will include information that demonstrates the identity of the individual producing communications or using the vehicle.

This Court is authorized to issue this warrant pursuant to 15 M.R.S. §§ 55 & 56.

[X] Waiver of Notice to Owner or User of Electronic Device. Based on the facts set forth in the affidavit, and pursuant to M.R.U. Crim. P. 41B(c) & (d) and 16 M.R.S. §§ 643(2) & 649(2), it is hereby ORDERED that the notification ordinarily required under 16 M.R.S. §§ 643 & 649 is waived, based on the determination that such disclosure would have an adverse result, for the reasons marked below:

- (1) immediate danger of death or serious physical injury,
- (2) flight from prosecution,
- (3) destruction of or tampering with evidence,
- (4) intimidation of a potential witness,
- (5) seriously jeopardizing an investigation, or
- (6) undue delay of a trial.

Search Warrant

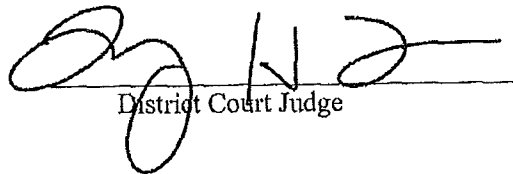
In order to successfully complete a forensic extraction from an Infotainment System, you are authorized to repair device(s), replace the screen(s), replace the chassis, reconnect wires, or replace batteries. You are also authorized to employ advanced forensic processes to bypass locked display screens and other data access restrictions. Advanced processes may include potentially destructive processes such as gaining root and/or Super user access, JTAG, ISP-JTAG and chip-off.

The executing law enforcement officer(s) may enlist the aid of a law enforcement computer forensic laboratory and/or certified digital evidence examiner(s) to include the New York State Police in the searching, viewing, photographing, recording, copying, forensic imaging, and analysis of any and all of the information described.

ANYTIME WARRANT

This warrant shall be executed anytime and shall be returned, together with a written inventory, within 14 days of the issuance hereof, to the Maine District Court located in Lewiston, Maine.

Issued in Hallowell, *Maine in the County of* Kennebec *this*
27th *day of* October 2023, *at* 8:10 *AM/PM.*


District Court Judge

Search Warrant Affidavit

STATE OF MAINE
ANDROSCOGGIN, ss.

UNIFIED CRIMINAL COURT
LOCATION: Lewiston
DOCKET NO. 2023165

IN RE: SEARCH WARRANT FOR)
WHITE 2013 SUBARU OUTBACK)
BEARING MAINE PC 9246PD)
OWNED BY ROBERT CARD)

AFFIDAVIT AND REQUEST
FOR SEARCH WARRANT
[M.R.U. Crim. P. 41 & 41B]

**AFFIDAVIT OF BENJAMIN HANDZEL OF THE
MAINE STATE POLICE**

I, Benjamin Handzel, a duly sworn law enforcement officer for the Maine State Police, hereby state under oath and upon penalties and pains of perjury that there is probable cause to believe that:

Part I: Located on or about the property described below, namely:

- A. A White 2013 Subaru Outback registered to ROBERT CARD (DOB 04/04/1983) with Maine Passenger Car Plate 9246PD and VIN #4S4BRDLC8D2257621, currently at the Maine State Police Crime Lab in Augusta.
- B. Any and all electronic systems onboard the vehicle that collects, maintains, and/or stores data including but not limited to the vehicle's infotainment system and/or telematics devices with the above described vehicle.

Part II: There is certain evidence or property, namely: Based upon the foregoing, I respectfully submit that there is probable cause to believe the property listed above either contains evidence of, or itself constitutes an instrumentality of Murder in violation of 17-A M.R.S. § 201, which are subject to search under M.R.U. Crim. P. 41 & 41B, and should therefore be seized and searched for the following items:

- A. Live and deleted user attribution data including user accounts, e-mail accounts, passwords, PIN codes, patterns, methods of payment, account names, user names, screen names, remote data storage accounts, documents, files, metadata, log files, user voice profiles and other

Search Warrant Affidavit

biometric identifiers or any other information and evidence that may demonstrate attribution to a particular user or users;

- B. Live and deleted historical navigation data tracks, routes, and waypoints, GPS fixes, favorites, past journeys, trip logs, and user entered data, Latitude, Longitude, and Altitude coordinates, and related dates and times;
- C. Live and deleted logs, records, documents, and other items that may constitute evidence, contraband, fruits, and/or instrumentalities of violations of crime(s) listed;
- D. Live and deleted contact lists, call logs, text messages and multimedia messages (SMS and MMS messages), e-mails, chats, video conference communication data, contact information, installed application information including their content and any other information which can be used to identify potentially associated persons;
- E. Live and deleted passwords, password files, PIN codes, encryption codes, or other information necessary to access the digital device or data stored on the digital device such as hidden file applications;
- F. Live and deleted documents, programs, pictures, videos, audio files, text files, databases, application data, calendar entries, user dictionaries, malware, viruses, tracking or other remote monitoring software, and any associated metadata;
- G. Live and deleted web browser history, web browser bookmarks, temporary Internet files, cookies, searched items, downloaded and uploaded files, social networking websites or applications; and
- H. Live and deleted data stored on removable media such as Subscriber Identity Modules (SIM cards), flash memory storage devices such as Secure Digital (SD) and Micro SD media cards and any associated wireless devices (Bluetooth, Wi-Fi, or other technology).

Search Warrant Affidavit

Your affiant or others from my department/agency will review the material received for evidence relating to Murder in order to extract information that falls under the search warrant parameters. The seized material will include information that demonstrates the identity of the individual producing communications or using the vehicle.

This Court is authorized to issue this warrant pursuant to 15 M.R.S. §§ 55 & 56.

Part III: My conclusion that such probable cause exists is based on the following factual information:

A. Introduction

1. I, Benjamin Handzel, Detective for the Maine State Police, make this affidavit in support of an application for a search and seizure warrant under Title 16, Chapter 3, Subchapters 10 & 11 as well as Rule 41B of the Maine Rules of Unified Criminal Procedure. I have reason to believe that a particular motor vehicle's Infotainment System and related storage media may contain evidence identifying and linking, victim(s), suspect(s), and possible witness(es) to the crime(s) of Murder in violation of 17-A M.R.S. § 201.
2. This affidavit is intended to show that there is sufficient probable cause for the requested search and seizure warrant and does not set forth all of my knowledge about this matter. The statements contained in this affidavit are based upon the following: my own personal knowledge; knowledge obtained from other individuals during my participation in this investigation, including other law enforcement officers; interviews of witnesses; my review of records related to this investigation; communications with others who have knowledge of the events and circumstances described herein; and information gained through my training and experience.

B. Experience

1. I, Benjamin Handzel, am a Detective with the Maine State Police, located in the County of Cumberland, in the state of Maine. My training and experience includes the investigation of numerous major criminal cases including, but not limited to, Murder, Aggravated Assault, Gross Sexual Assault. I have been a law enforcement officer for 6 years. I have attended several law enforcement-training courses both relative to criminal investigation in general and cyber-crime in particular. I have led numerous

Search Warrant Affidavit

investigations involving the use of digital media or computer systems in committing crimes.

2. I have authored and assisted in the execution of numerous search-and-seizure warrants during my tenure as a law enforcement officer. Annually, I receive 20 hours of in-service training for law enforcement officers, which includes Maine case law, and various criminal law updates.
3. I have authored and assisted in the execution of more than [number] search-and-seizure warrants during my tenure as a law enforcement officer. I have spoken with Detective Martin Royle in the Maine State Police Computer Crimes Unit (CCU) who has informed me about the ability to retrieve digital evidence from vehicles.

C. **Information concerning Motor Vehicle Infotainment Systems**

1. I know from my training and experience and discussions with Detective Royle at the CCU that a motor vehicle is no longer just limited to transportation. Many modern motor vehicles are factory installed with entertainment and communications consoles. These consoles are commonly called Infotainment Systems. Infotainment Systems allow drivers and/or passengers to connect their devices to the digital world. Such systems can store and/or stream digital content to and from a variety of devices; it may even broadcast a wireless signal which would allow passengers to connect to the World Wide Web (Internet).
2. I also know that many motor vehicle Infotainment Systems allow a user to sync (connect and integrate communications wirelessly and/or with a cable) mobile devices to a particular motor vehicle Infotainment System. This connectivity generally allows motor vehicle occupants to perform hands-free operations such as voice calling and texting, access data streaming stream services such as music, news, weather, maps, navigation, traffic data, and other web based information and related content.
3. Furthermore, I know that Motor Vehicle Infotainment Systems commonly support the importing of content and other data information from a particular user's mobile device. Such data may include content that may provide user attribution to particular user(s) that may include mobile device identifiers, telephone numbers, user accounts details, methods of payment, passwords, PIN codes, user voice profiles and other biometric identifiers, contact lists, call logs, text messages, e-mails, pictures, videos, web history, telephone numbers, addresses and/or GPS (Global Positioning System) coordinates, and

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other historical navigation information.

4. I know that Global Positioning System or GPS portable navigation systems associated with Infotainment Systems use a space-based radio-navigation system which provide users with accurate information on position, velocity, and time anywhere in the world and in all weather conditions using a connected network of orbiting satellites. GPS portable navigation devices can store information in their digital memory about the locations where the device was for a period of time.
5. Consequently, there is probable cause to believe that the historical GPS data associated with the Infotainment System will contain recorded evidence of the physical location of the associated vehicle and/or person(s) whenever the vehicle and/or person was moving or stationary. Information and evidence of the associated vehicle and/or person(s) travels should contribute to identifying the locations from which the vehicle and/or person departed, the locations where the associated vehicle and/or person(s) traveled to and the time the associated vehicle and/or person(s) remained at different coordinates.
6. I know that even after a previously connected mobile device is removed, much historical live and deleted data may remain within the digital storage capabilities of the Infotainment System.
7. I know that these Infotainment Systems and associated connected or previously connected mobile devices can be used to delete, create, share, and store files and other data including navigation history, documents, photographs, videos, electronic mail, search history and other relevant live and deleted user information. I also know that such devices can be used to communicate and share information with others and that data can be transferred between various devices – wirelessly and by connected cables.
8. I also know that live and deleted data recovered from Infotainment Systems may show evidence of current, on-going, future, and past criminal activity. Such information can be used to identify locations, victims, witnesses, associates and co-conspirators. I also know that data from these devices can often include user attribution data that can identify the person(s) who sent, received, created, viewed, modified, or otherwise had control over particular content.
9. I know that it is necessary to search live and deleted data recovered from a digital device, including Infotainment systems, from when the digital device was first activated to when a device was seized. This is specifically necessary to establish that a particular device

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and any associated applications can be attributed to a particular user. Additionally, this full range of time may be necessary to identify communications, contacts, calendar entries, pictures, videos, location information (including chats, texts, emails, web searches, GPS, navigation, maps, and other data) that may convey communication between parties and identify suspects, co-conspirators, associates, witnesses and other individuals who may have involvement or knowledge of crimes and to establish pre-planning, execution, and post event information of criminal activity. Without this information, it may not be possible to authenticate and understand events of a particular day and time in proper context and to attribute particular user or users of a device and their associated applications in proper context.

10. I also know that if these items are not seized and isolated from network connectivity in a timely manner, evidence may be destroyed, transferred, encrypted, modified, or otherwise lost forever. I know that data recovered from an Infotainment System could be used to refute or corroborate data recovered from other mobile devices or obtained from service providers.

D. Specific probable cause

1. I am a Detective assigned to the Maine State Police. I have reason to believe that a particular motor vehicle's Infotainment System and related storage media may contain evidence identifying and linking, victim(s), suspect(s), and possible witness(es) to the crime(s) of Murder in violation of 17-A M.R.S. § 201.
2. I have done the following to determine that the vehicle operated from 07/25/2023-10/25/2023 by Robert Card is equipped with an infotainment system which is installed within the center console/dashboard. On 10/25/2023 Berla Corporation informed Det. Martin Royle the Subaru Outback that is registered to Robert Card that was seized as a part of this investigation is equipped with an infotainment center. These systems are designed to store a vast amount of data which includes recent destinations, favorite locations, call logs, contact lists, SMS messages, emails, pictures, videos, social media feeds, and the navigation history of everywhere the vehicle has traveled. These systems may also record events such as the activation and de-activation of the vehicle's headlights, the opening and closing of doors at a specific location, and the location of the vehicle at the time Bluetooth devices are connected. This data will be acquired to assist law enforcement during their investigation. [See earlier section for more details]

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3. On October 25, 2023, at 06:56 P.M., The Lewiston Auburn Communication Center received a report of a male shooting a firearm inside Just-In-Time Recreation (also known as Sparetime Recreation) located at 24 Mollison Way in Lewiston. The Auburn Communication Center subsequently received numerous 911 calls reporting multiple victims at this location.
4. At 07:08 P.M., the Lewiston Auburn Communication Center received multiple reports of an active shooter inside of Schemengees Bar and Grille located at 551 Lincoln Street in Lewiston.
5. At 08:48 P.M., Androscoggin Sheriff's Office (ASO) Detective Maurice Drouin obtained video surveillance footage from Schemengees Bar and Grille. The video showed a white male, armed with a rifle, exit a white passenger vehicle and make entry into the establishment. A screenshot of the white passenger vehicle was distributed to investigating law enforcement personnel.
6. At 09:13 P.M., Maine State Police (MSP) Detective Victoria Lane made entry into Just-In-Time Recreation. She observed seven (7) deceased individuals inside the establishment with one (1) being a female and the rest males. The victims sustained apparent gunshot wounds. Detective Lane observed numerous rifle cartridges on the ground throughout the premises.
7. At 09:16 P.M., Lewiston Police Department Chief David St. Pierre received a phone call from N [REDACTED] H [REDACTED] stating that a widely circulated photograph of the shooter was her brother, Robert Card (DOB: 04-04-1983).
8. At 09:47 P.M. Detective Lane made entry into Schemengees Bar and Grille. She observed seven (7) deceased males inside and one (1) additional deceased male was located outside. The victims each sustained apparent gunshot wounds. Detective Lane observed numerous rifle cartridges on the ground throughout the premises.
9. At 09:56 P.M., Lisbon Police Department personnel located a white Subaru at the Pejepscoot boat launch.
10. At 09:57 P.M., MSP Detective Conner Walton conducted a reverse vehicle registration search on Robert Card. The Bureau of Motor Vehicles (BMV) return indicated that a white 2013 Subaru Outback bearing Maine registration 9246PD was assigned to Robert Card.

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11. At 10:01 P.M., Lisbon Police Department personnel confirmed that the Subaru at the Pejepscoot boat launch was Robert Card's vehicle.
12. At 10:03 P.M., MSP Detective Herbert Leighton and Det. Justin Huntley interviewed N [REDACTED] H [REDACTED] at Lewiston Police Department. N [REDACTED] said that Robert has been delusional since February 2023 after a bad break-up with a woman. N [REDACTED] explained that since the break-up, Robert has had significant weight loss, has been hospitalized for mental health issues and stopped taking prescribed medication. N [REDACTED] said Robert had a strong interest in firearms and owned a lot of them, to include rifles and handguns. She said Robert believed there was a conspiracy involving people accusing him as a pedophile. Robert believed certain businesses were spreading this rumor online. N [REDACTED] said that Just-In-Time Recreation, Schemengees Bar and Grille, Gowell's Market in Litchfield, and Mixers Nightclub in Sabattus were the businesses Robert believed were spreading online rumors of him being a pedophile. According to N [REDACTED], Robert also believed that some of his family members were involved in the conspiracy.
13. At 11:30 P.M., MSP Sergeant Jesse Duda spoke with Robert's brother, R [REDACTED] C [REDACTED]. R [REDACTED] told Sergeant Duda that Robert was in a relationship with a woman named "J [REDACTED] C [REDACTED]" over the past few months, before J [REDACTED] ended the relationship. R [REDACTED] said that Robert met J [REDACTED] at a cornhole competition at Schemengees Bar and Grille. R [REDACTED] said that ever since the relationship ended, Robert started wearing hearing aids and had been saying crazy things.
14. At 11:45 P.M., I watched a portion of the video footage from Schemengees Bar and Grille. The footage depicted a male walking through the bar and shooting at the patrons. The male in the footage was similar in appearance to the BMV photograph of Robert Card.
15. On October 26, 2023 at 01:15 A.M., Lisbon Police Department personnel told Lewiston Police Sergeant David Levesque, who told investigative personnel, that they observed a long rifle in the Subaru that was located at the Pejepscoot boat launch.
16. The Subaru that was located at the Pejepscoot boat launch was seized and transported to a secure location. At 02:29 A.M. Detective Lane spoke with MSP Trooper Jason Wing who escorted the Subaru from the Pejepscoot boat launch to the secure location. Trooper Wing said he observed, in plain view in the passenger area of the vehicle,

Search Warrant Affidavit

paperwork containing Robert Card's name. Trooper Wing confirmed that the vehicle's BMV registration was assigned to Robert Card.

17. I know based on my training and experience the data from the infotainment center may provide locations that Robert Card may frequent or people he may communicate with.

18. This affidavit was reviewed by AAG Lisa Bogue. AAG Bogue has been a prosecutor for over 20 years and has reviewed hundreds of search warrants.

Part IV:

1. As the investigation into the homicides at Just-In-Time Recreation and Schemengees Bar and Grille began to unfold, investigators quickly came to believe that Robert Card was the assailant. Video footage depicting one of the shooting scenes showed an individual resembling Robert committing the shooting. A vehicle that was later determined to be Robert's vehicle, that matched a description of the suspect's vehicle, was later found abandoned at a nearby boat launch. Furthermore, Robert's own sister, after seeing a photograph of the shooter, called the police and said the shooter was Robert.
2. On 10/25/2023, Det. Martin Royle from the Maine State Police Computer Crimes Unit was informed by Berla Corporation that Robert Card's vehicle was equipped with an infotainment center.
3. Based on my training and experience, I know the infotainment center may provide location information of the vehicle at the time of the shootings as well as the location of the vehicle in the days and weeks leading up to the shooting.
4. Based on my training and experience, I know the infotainment center may provide contacts of people that Robert Card communicates with.

Based upon my experience, education, and training and the facts made known to me during the course of this investigation, your affiant believes that evidence of the offense(s) Murder may be found on the infotainment center of Robert Card's vehicle.

- A. Based on the information regarding Vehicle Infotainment Systems, the vehicle, a 2013 White Subaru Outback was involved at the time of the crime and the infotainment would retain information of communications while paired to the phone or of any locations driven to in the vehicle.

Search Warrant Affidavit

1. Logs of communications of Robert Card, phone and text message logs; interactions through posts; location history; friend lists; and other information or data tending to show Robert Cards communications and his pattern of life.
2. Content including location history, messages, and media files; and metadata including IP information and machine cookies; and other information or data tending to show the location of Robert Card on at the time of the shootings and the days and weeks leading up to the shootings. Location information can show pattern of life for the period requested to provide inculpatory or exculpatory information. At this time, Card's location is unknown and this information may show locations he had been frequenting
3. Public or private communications that discuss the crime of Murder, or the motive or reasons for the crime of Murder.
4. Media files or other data and information tending to depict the physical appearance of Robert Card around the time of the crime or that show him owning or wearing items of clothing at any time that match the appearance of the outfit described by witness/shown on security footage/etc. at time of crime.
5. Subscriber and other identifying information, device information and IP logs, and activity logs. The same subscriber information is necessary to provide evidence to make other material admissible at trial.
6. Subscriber information, friend lists, billing information; and communication logs that reveal further avenues for investigation, for example by revealing regular between Robert Card and a previously unknown person around the time of the crime, or by showing evidence of another account through a separate online service provider, such as a an Apple ID that would reveal the existence of an Apple account, which itself may contain evidence relevant to this investigation.
7. Any and all data stored in the infotainment or telematics system of a white colored 2013 Subaru Outback, bearing VIN # 4S4BRDLC8D2257621 and ME Registration 9246PD. The vehicle is currently registered to Robert Card, DOB 04/04/1983 with an address of 941 Meadow Road, Bowdoin Maine.
8. I understand that the infotainment system will be removed within the 14 days but that the forensic analysis will take more time. I will make a return within the 14 days indicating that the system has been seized and turned over for forensic analysis.

Part V: SPECIAL REQUESTS

Search Warrant Affidavit

A. WAIVER AND PRECLUDING NOTICE

1. **[X] Waiver of Notice to Owner or User of Electronic Device.** Based on the facts set forth in the affidavit, and pursuant to M.R.U. Crim. P. 41B(c) & (d) and 16 M.R.S. §§ 643(2) & 649(2), it is hereby requested that the court order that the notification ordinarily required under 16 M.R.S. §§ 643 & 649 is waived, based on the determination that such disclosure would have an adverse result, meaning (1) immediate danger of death or serious physical injury, (2) flight from prosecution, (3) destruction of or tampering with evidence, (4) intimidation of a potential witness, (5) seriously jeopardizing an investigation, or (6) undue delay of a trial.

B. Use of Civilians

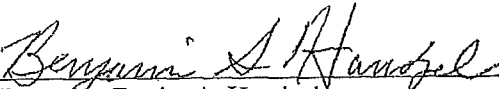
1. I also understand that in order to successfully complete a forensic extraction from an Infotainment System it may be necessary to repair the device, replace the screen, replace the chassis, reconnect wires, or replace a battery. I also understand that it may be necessary to employ advanced forensic processes to bypass locked display screens and other data access restrictions. Advanced processes may include potentially destructive and destructive processes such as gaining root and/or Super user level access, JTAG, ISP-JTAG and chip-off.
2. I respectfully request that the warrant authorize that the executing law enforcement officer(s) may enlist the aid of a law enforcement computer forensic laboratory and/or certified digital evidence examiner(s) to include the New York State Police in the searching, viewing, photographing, recording, copying, forensic imaging, and analysis of any and all of the information described including the assistance of civilian employees of such law enforcement agencies.

WHEREFORE, I pray that a warrant may issue authorizing a search of the Property/Premises described above in Part I for the Property/Evidence described above in Part II, and that if such Property/Evidence be found that it shall be seized.

I hereby swear under pains and penalties of perjury that the facts set forth in this affidavit are true and correct to the best of my knowledge, information and belief.

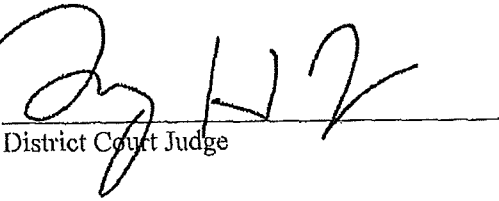
Search Warrant Affidavit

Dated: 10/27/2023


Detective Benjamin Handzel
Maine State Police

Appeared before me under oath on this date the above-named Benjamin Handzel and signed and swore to the truth of the facts contained in the foregoing instrument.

Dated: 10/27/2023


District Court Judge

Inventory

STATE OF MAINE
DOCKET
SAGADAHOC, ss.

UNIFIED CRIMINAL West Bath

LOCATION:
DOCKET NO. _____

IN RE: SEARCH WARRANT FOR)
ACCOUNT INFORMATION OF)
207-837-3761 THAT IS)
STORED AT PREMISES)
CONTROLLED BY AT&T)

INVENTORY
[M.R.U. Crim. P. 41(g) & 41B]

The following material(s) were seized pursuant to the search warrant above captioned above:

[List the types of records that were received from AT&T.]

VERIFICATION

The [AGENCY] seized records from AT&T regarding the account(s), [put in the accounts] pursuant to a search warrant signed by [Judge X] on [date] with the material being provided on [date] by AT&T regarding an investigation into Murder in violation of 17-A M.R.S. § 201

Date: _____
NAME

Personally appeared the above named, NAME, and made oath to the truth of the foregoing inventory.

Date: _____
Clerk/Notary Public

Search Warrant

STATE OF MAINE
SAGADAHOC, ss.

UNIFIED CRIMINAL COURT
LOCATION: West Bath
DOCKET NO. _____

IN RE: SEARCH WARRANT FOR)
ACCOUNT INFORMATION OF)
207-837-3761 THAT IS)
STORED AT PREMISES)
CONTROLLED BY AT&T)

SEARCH WARRANT
[M.R.U. Crim. P. 41 & 41B]

SEARCH WARRANT

To: Any officer authorized by law to execute this Search Warrant;

Affidavit having been made before me by Blake K. Conrad of the Maine State Police ;
and as I am satisfied that there is probable cause to believe that grounds for the issuance
of a search warrant exist; you are hereby commanded to search the premises specified in
Part I below for the evidence/property specified in Part II below, and, if the specified
evidence/property is found, then to seize such property and prepare a written inventory of
the property seized.

Part I: Property/Premises to be searched:

The records associated with cell phone number(s) 207-837-3761, that are stored at
premises owned, maintained, controlled, or operated by AT&T a wireless provider
headquartered at:

AT&T
ATTN: Global Legal Demands Center
11760 US Hwy 1, Suite 600, North Palm Beach, FL 33408
By email at: glde@att.com

Part II: There is certain property/evidence, namely:

A. The following information from AT&T records relating to 207-837-3761:

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1. The following records from the creation of the account to the time acted upon by AT&T:
 - a. All business records and subscriber information, from the creation of the account, in any form kept, pertaining to the individual accounts and/or identifiers described above, including subscribers' full name(s), addresses, shipping addresses, date account was opened, length of service, the types of service utilized, the unique identifier(s) for any wireless devices associated with the account, date of birth, telephone numbers, means and source of payment for service, and any other identifiers associated with the account;
 - b. All communication records from the creation of the account between AT&T and the subscriber regarding the account to include but not limited to customer service interaction(s);
2. And for the date range 07/25/2023-10/26/2023, the following information:
 - a. All voice mail, text, bytes up/down and multimedia messages, including message content and location information metadata, stored and presently contained in, or on behalf of the account or identifier;
 - b. All transactional information of all activity of the telephones and/or voicemail accounts described above, including location information, log files, messaging logs, local and long distance telephone connection records, records of session times and durations, dates and times of connecting, methods of connecting, telephone numbers associated with outgoing and incoming calls, IP addresses used or connected to, voice over internet protocol (VoIP), time on tower report, cell sites used, and/or locations;
 - c. All text messaging logs, including date and time of messages, and identification numbers associated with the wireless device sending and receiving the message; and
 - d. All location information and data about which "cell sites" (i.e., antenna towers covering specific geographic areas) and "sectors" (i.e., faces of the towers), including per call measurement data (PCMD) and/or Timing

Search Warrant

Advance reports, received a radio signal from each cellular telephone or wireless device(s) assigned to the account.

3. .

- B. It is understood that AT&T will not receive the search warrant affidavit but will respond with the categorical material in their files for that time period. The affiant will go through the information provided or seized, with the assistance of other officers or trained civilians in order to extract information that falls under the search warrant parameters. The seized material will include account information that demonstrates the identity of the individual using the account at the time of any communications, location information, or having access to the account.

The Court has authority to issue this warrant under 16 M.R.S. §§ 642(1) & 648, 15 M.R.S. §§ 55 & 56, and M.R.U. Crim. P. 41 & 41B.

Part III: SPECIAL PROVISIONS

- A. Pursuant to 15 M.R.S. § 56, **AT&T IS REQUIRED TO PROVIDE RESULTS WITHIN 14 DAYS**. If it cannot make that timeline, it shall provide written notice with “good cause” to Detective Martin Royle at Martin.G.Royle@maine.gov within 10 days, so the Court can be notified and determine if “good cause” has been provided to extend the time for the response.
- B. AT&T shall disclose all responsive data, if any, by sending it to Martin Royle at Martin.G.Royle@maine.gov.
- C. Civilian employees of AT&T are authorized to assist in this search warrant. It is further authorized that the material provided may be examined by a trained forensic examiner or investigator from the Maine State Police Computer Crimes Unit or any other State or federal law enforcement agency.
- D. Pursuant to 15 M.R.S. § 56, AT&T shall **verify the authenticity of records** that it produces by providing an affidavit that complies with the requirements set forth in the Maine Rules of Evidence, Rule 902(11) & (12).
- E. NOTICE

Search Warrant


[X] Waiver of Notice to Owner or User of Electronic Device. Based on the facts set forth in the affidavit, and pursuant to M.R.U. Crim. P. 41B(c) & (d) and 16 M.R.S. § 643(2) & §649(2), it is hereby ORDERED that the notification by the officer ordinarily required under 16 M.R.S. § 643 & §649 is waived, based on the determination that such disclosure would have an adverse result, for the reasons marked below:

- (1) immediate danger of death or serious physical injury,
- (2) flight from prosecution,
- (3) destruction of or tampering with evidence,
- (4) intimidation of a potential witness,
- (5) seriously jeopardizing an investigation, or
- (6) undue delay of a trial.

F. DAYTIME WARRANT ONLY

This warrant shall be executed between the hours of 7:00 A.M. and 9:00 P.M., and shall be returned, together with a written inventory, within 14 days of the issuance hereof, to the Maine Unified Criminal Court located in West Bath, Maine.

Issued this 27th day of October 2023, at 2:56 AM /
PM. At Hallowell, Maine.



District Court Judge
Tammy Ham-Thompson

Printed Name

Search Warrant Affidavit

STATE OF MAINE
SAGadahoc, ss.

UNIFIED CRIMINAL COURT
LOCATION: West Bath
DOCKET NO. _____

IN RE: SEARCH WARRANT FOR)
ACCOUNT INFORMATION OF) AFFIDAVIT AND REQUEST
207-837-3761 THAT IS) FOR SEARCH WARRANT
STORED AT PREMISES) [M.R.U. Crim. P. 41 & 41B]
CONTROLLED BY AT&T)

**AFFIDAVIT OF BLAKE K. CONRAD OF THE
MAINE STATE POLICE IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

I, Blake K. Conrad, a duly sworn law enforcement officer for the Maine State Police hereby state under oath and upon penalties and pains of perjury that there is probable cause to believe that:

Part I: Located on or about the property/premises described below, namely:

The records associated with cell phone number(s) 207-837-3761, that are stored at premises owned, maintained, controlled, or operated by AT&T a wireless provider headquartered at:

AT&T
ATTN: Global Legal Demands Center
11760 US Hwy 1, Suite 600, North Palm Beach, FL 33408
By email at: glde@att.com

Part II: There is certain property/evidence, namely:

Based upon the foregoing, I respectfully submit that there is probable cause to believe the records listed above either contains evidence of, or itself constitutes an instrumentality of the offense(s) of Murder in violation of 17-A M.R.S. § 201, which

Search Warrant Affidavit

are subject to search under M.R.U. Crim. P. 41 & 41B, and should therefore be seized and searched for the following information to be provided from the AT&T records relating to 207-837-3761

A. The following information from AT&T records relating to 207-837-3761, which constitute evidence or instrumentalities of the offense(s) of Murder in violation of 17-A M.R.S. § 201.

1. The following records **from the creation of the account to the time acted upon by AT&T:**
 - a. All business records and subscriber information, from the creation of the account, in any form kept, pertaining to the individual accounts and/or identifiers described above, including subscribers' full name(s), addresses, shipping addresses, date account was opened, length of service, the types of service utilized, the unique identifier(s) for any wireless devices associated with the account, date of birth, telephone numbers, means and source of payment for service, and any other identifiers associated with the account;
 - b. All communication records from the creation of the account between AT&T and the subscriber regarding the account to include but not limited to customer service interaction(s);
2. And for the date range 07/25/2023-10/26/2023, the following information:
 - a. All voice mail, text, bytes up/down and multimedia messages, including message content and location information metadata, stored and presently contained in, or on behalf of the account or identifier;
 - b. All transactional information of all activity of the telephones and/or voicemail accounts described above, including location information, log files, messaging logs, local and long distance telephone connection records, records of session times and durations, dates and times of connecting, methods of connecting, telephone numbers associated with outgoing and incoming calls, IP addresses used or connected to, voice over internet protocol (VoIP), time on tower report, cell sites used, and/or locations;

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- e. All text messaging logs, including date and time of messages, and identification numbers associated with the wireless device sending and receiving the message; and
- d. All location information and data about which "cell sites" (i.e., antenna towers covering specific geographic areas) and "sectors" (i.e., faces of the towers), including per call measurement data (PCMD) and/or Timing Advance reports, received a radio signal from each cellular telephone or wireless device(s) assigned to the account.

3.

- B. It is understood that AT&T will not receive the search warrant affidavit but will respond with the categorical material in their files for that time period. I will go through the information provided or seized, with the assistance of other officers or trained civilians in order to extract information that falls under the search warrant parameters. The seized material will include account information that demonstrates the identity of the individual using the account at the time of any communications, location information, or having access to the account.

The Court has authority to issue this warrant under 16 M.R.S. §§ 642(1) & 648, 15 M.R.S. §§ 55 & 56, and M.R.U. Crim. P. 41 & 41B.

Part III: My conclusion that such probable cause exists is based on the following factual information:

A. Introduction

4. I, Blake K. Conrad, Detective with the Maine State Police, make this affidavit in support of an application for a search and seizure warrant. This affidavit is made in support of an application for a search warrant under Title 16, Chapter 3, Subchapters 10 & 11 as well as Rule 41B of the Maine Rules of Unified Criminal Procedure. Your affiant seeks a search warrant which would require AT&T, to disclose to the government records and other information in its possession pertaining to the subscriber or customer associated with the account(s), including the location and contents of communications.
5. This affidavit is intended to show that there is sufficient probable cause for the requested search and seizure warrant and does not set forth all of my

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knowledge about this matter. The statements contained in this affidavit are based upon the following: my own personal knowledge; knowledge obtained from other individuals during my participation in this investigation, including other law enforcement officers; witnesses interviewed; my review of records related to this investigation; communications with others who have knowledge of the events and circumstances described herein; and information gained through my training and experience.

B. Experience

1. I am a Detective with the Maine State Police and have been so employed since 2012. I completed the 64th Maine State Police Recruit Training Troop on April 15, 2013. Your Affiant has also investigated numerous criminal cases involving homicide, robberies, thefts, drug trafficking and assaults, during your affiant's career as a law enforcement officer. Your affiant's involvement has included the preparation and execution of search warrants and arrest warrants, the interrogation of suspects and witnesses, and the arrest of persons charged with the above listed crimes. I have personal knowledge of the facts and circumstances hereinafter related as a result of an investigation I responded to on 10/25/2023.
2. I have attended several law enforcement-training courses both relative to criminal investigation in general and digital media. I have led numerous investigations involving the use of digital media or computer systems in committing crimes.
3. I have authored and assisted in the execution of more than 40 search-and-seizure warrants during my tenure as a law enforcement officer. I attended a one-day seminar on drafting effective search warrant affidavits sponsored by the Maine Office of the Attorney General. I also attended a four-hour seminar specifically on writing search warrants for digital evidence put on by the Attorney General's Office.
6. **Information Regarding the Provider AT&T**
 - i. I know that AT&T is headquartered at 11760 US Hwy 1, Suite 600, North Palm Beach, FL 33408. I know, that as part of its

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- business practice, AT&T collects, maintains, and archives network user activity that can be accessed from its headquarters. This information can include text messages, call details, cell site location information, and data usage.
- ii. Providers of cellular service (Providers), including AT&T, typically retain certain transactional information about the activation and use of each account on their systems. This information can include location information including but not limited to the date on which the towers were accessed, the length of service, records of log-in (i.e., session) times and durations, the types of service utilized, the status of the account (including whether the account is inactive or closed), and other log files that reflect usage of the account.
 - iii. Providers of cellular service retain subscriber information pertaining to the individual accounts and/or identifiers described above, which includes subscribers' full names, addresses, shipping addresses, date the account was opened, length of service, the types of service utilized, the unique identifier(s) for the wireless device associated with the account, telephone numbers, means and source of payment for service, and any other identifiers associated with the account.
 - iv. In some cases, cellular service users will communicate directly with a Provider about issues relating to the account, such as technical problems, billing inquiries, or complaints from other users. Providers typically retain records about such communications, including records of contacts between the user and the Provider's support services, as well as records of any actions taken by the provider or user as a result of the communications.
 - v. I know through education, training and experience that AT&T stores data for its services, including subscription information,

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transactional information and content on servers which are accessible to the Custodian of the Records who will provide the information when served with a proper search warrant via email at glde@att.com. This information is stored on the servers at AT&T headquarters located at 11760 US Hwy 1, Suite 600, North Palm Beach, FL 33408.

- vi. I am aware that on June 8, 2017, the Maine legislature passed 16 M.R.S. § 56 which provides the procedure for the proper service of search warrants to an electronic communication service provider or remote computing service provider even if they reside out of state. The provider is required to provide results within 14 days. If the provider cannot make that timeline, it is to provide notice to this officer, so I can notify the court and provide "good cause" to extend the time for the response.
- vii. I am requesting that AT&T provide subscriber information from the activation of the accounts in order to identify the owner and user of the accounts, to identify any exculpatory information if the AT&T account was used by another individual, and to allow admission of the records. I am requesting that AT&T provide transactional records and content from 07/25/2023-10/26/2023 in order to identify the IP addresses used when a user logged into the accounts. I will go through the information provided or seized, with the assistance of others in my agency Federal Bureau of Investigation, Bureau of Alcohol, Tobacco, Firearms and Explosives, as well as the Maine State Police Computer Crimes Unit, and search for the material applicable to this investigation.
- viii. Therefore, the computers of AT&T are likely to contain all the material just described, including stored electronic communications and information concerning subscribers and

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their use of AT&T towers, such as account access information, transaction information, and communication information.

C. Specific Probable Cause

Based on my knowledge and experience and on information received from other individuals and other law enforcement officers as set forth below, I have learned the following:

1. On 10/25/2023 at 1856 hours, Auburn Communication Center received a first report of a male shooting inside Just In Time Recreation (also known as Sparetime Recreation) located at 24 Morrison Way in Lewiston. The Auburn Communication Center subsequently received numerous 911 calls reporting multiple victims at this location.
2. At 1908 hours, Auburn Communication Center received multiple reports of an active shooter inside Schemengee's Billards located at 551 Lincoln Street in Lewiston.
3. At 2048 hours, Androscoggin Sheriff's Office Detective Maurice Drouin obtained video surveillance footage from Schemengee's. The video showed a white male exit a white passenger vehicle armed with an assault rifle and make entry into the establishment. A screenshot of the white passenger vehicle was distributed to investigating law enforcement personnel.
4. At 2113 hours, I made entry into Sparetime Recreation. I observed seven (7) deceased individuals inside the establishment with one (1) being a female and the rest males. The victims had sustained apparent gunshot wounds. I observed numerous rifle cartridges on the ground throughout the premises. At 2126 hours, Lewiston Police Department Chief David St. Pierre received a phone call from N [REDACTED] I [REDACTED] stating the male in the distributed suspect photograph was her brother, Robert Card.
5. At 2147 hours I made entry into Schemengee's. I observed seven (7) deceased males inside and one (1) additional deceased male was located outside. The victims each sustained apparent gunshot wounds. I observed numerous rifle cartridges on the ground throughout the premises.
6. At 2156 hours, Lisbon Police Department advised officers located a Subaru at

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the Pejepscot boat launch

7. At 2157 hours, Maine State Police Detective Conner Walton conducted a reverse vehicle registration search on Robert. The DMV return indicated a white 2013 Subaru Outback bearing ME PC 9246PD was registered to Robert Card.
8. At 2201 hours, Lisbon Police Department confirmed the Subaru in the Pejepscot boat launch was the suspect's vehicle.
9. At approximately 2242 hours, I spoke with Sgt. Ed Yurek of the Brunswick Police Department. Sgt. Yurek informed me that Robert's brother, R [REDACTED] C [REDACTED] had called him earlier this evening. R [REDACTED] knows Sgt. Yurek as they served in the military together. Through the conversation R [REDACTED] mentioned that Robert would possibly try to go to Harpswell to target his ex-wife C [REDACTED] I [REDACTED] or his ex-girlfriend J [REDACTED] C [REDACTED].
10. At 2203 hours, Maine State Police Detective Justin Huntley interviewed N [REDACTED] H [REDACTED] at Lewiston Police Department. Ms. H [REDACTED] told Det. Huntley that Robert has been delusional since February 2023 after a bad break-up. N [REDACTED] explained to Det. Huntley that since the break-up, Robert has had significant weight loss, has been hospitalized for mental health issues and prescribed medication that he stopped taking. N [REDACTED] H [REDACTED] described Robert as being very interested in firearms and owned a lot of them to include assault rifles and handguns. N [REDACTED] I [REDACTED] said that Robert believed there was a conspiracy against him and people were accusing him of being a pedophile. Robert believed businesses were broadcasting online that Robert was a pedophile. N [REDACTED] I [REDACTED] told Det. Huntley that the following businesses: Sparetime Recreation; Schemengee's; Gowell's Market in Litchfield; and Mixers Nightclub in Sabattus were the businesses that were broadcasting that Robert was a pedophile. Robert also believed that his family was involved in the conspiracy. N [REDACTED] provided the phone number that Robert would communicate on her on as 207-837-3761. N [REDACTED] phone number is

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11. At 2330 hours, Maine State Police Sergeant Jesse Duda spoke with Robert brother, R [REDACTED] C [REDACTED] F [REDACTED] C [REDACTED] told Sgt. Duda that Robert had been in a relationship with a person named J [REDACTED] C [REDACTED] the past few months before J [REDACTED] C [REDACTED] ended the relationship. R [REDACTED] C [REDACTED] stated that Robert met J [REDACTED] C [REDACTED] at a coinhole competition at Schemengee's. R [REDACTED] C [REDACTED] said that ever since the relationship ended Robert started wearing hearing aids and had been saying crazy things.
12. At 2345 hours, I watched a portion of the video footage from Schemengee's. I observed the male walk through the bar while seeking out and shooting at patrons. The male in the footage was similar in appearance to the DMV photograph of Robert.
13. On October 26, 2023 at 0115 hours, Lisbon Police Department officers told Sgt. David Levesque of Lewiston Police Department who then told your affiant that they observed a long rifle in the Subaru that was located at the Pejepscot boat launch.
14. The Subaru that was located at the Pejepscot boat launch was sized and transported to a secured location. At 0229 hours, Det. Knight spoke with Trooper Jason Wing who was escorting the Subaru from the Pejepscot boat launch to a secure location. Trooper Wing advised that located in plain view in the passenger area of the vehicle was paperwork containing Robert's name. Trooper Wing confirmed the vehicle's DMV registration returned to Robert Card.
15. At 0257 hours Det. Cpl. Bond conducted an interview with T [REDACTED] E [REDACTED] [REDACTED] at his residence located at [REDACTED] in the town of [REDACTED]. T [REDACTED] informed Det. Cpl. Bond that he was best friends with R [REDACTED] C [REDACTED] who is the brother of Robert Card. T [REDACTED] stated that he knows Robert has multiple rifles, one of which he believes has a thermal optic mounted on it. T [REDACTED] informed Det. Cpl. Bond that Robert only has one vehicle which is a Subaru. T [REDACTED] stated that Robert has a red and white, on/off road, Yamaha dirt bike which should be stored in the garage or in an outside storage area of Robert's residence in Bowdoin. T [REDACTED] stated that Robert also has a large jet-ski which should be at his

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residence in Bowdon

16. At 0257 hours, I interviewed [REDACTED] at [REDACTED] in the town of [REDACTED]. [REDACTED] informed me that he had been trying to call Robert after the shooting's occurred and his phone would ring four times or go right to voicemail. [REDACTED] tried calling Robert in my presence and showed me the number he had communicated with Robert, the phone number being 207-837-3761. [REDACTED] described to me that Robert was a 20-year veteran of the Army and had been having mental health issues due to him having hearing issues and possibly being a schizophrenic. [REDACTED] had tried to help Robert for several months now as Robert's mental health was declining. Robert claimed to hear people calling him a pedophile which really upset him.
17. [REDACTED] mentioned that he would go to Schemengees Bar and Sparetime Recreation bowling alley, with Robert. On some occasions while playing corn hole or being around other patrons, Robert would tell [REDACTED] that people at the bar or also playing cornhole were calling him a pedophile. [REDACTED] did not hear these statements. [REDACTED] told me that Robert met a woman named J [REDACTED] C [REDACTED] there and started dating her and she had two daughters as well. Robert would take J [REDACTED] daughter's there out to eat, and that is where the pedophile thing in Robert's head came from as, Robert was there with J [REDACTED] two daughters on occasions and felt that people were looking at him. [REDACTED] did not hear these statements. Robert claimed that people were out to get him or were calling him a pedophile. [REDACTED] told me that once Robert got a hearing aid, he started hearing these disparaging remarks.
18. Robert mentioned the manager Joey Walker of Schemengee's as one of the people who Robert thought had called him gay. [REDACTED] tried to tell Robert that he doesn't say anything like that.
19. I learned on 10/26/2023 at approximately 1400 hours, that Joseph Walker (9/17/1966) was one of the people killed at Schemengee's.
20. [REDACTED] told me that he had tried to help his brother as much as he could, along with their father [REDACTED] but Robert could not be reasoned with. [REDACTED] did get Robert to agree for [REDACTED] to change the code on

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Robert's gun safe located in his garage for a period of time a few months ago, because of R [REDACTED] concerns regarding Robert's behavior and his possession of several firearms. Robert had a key to the gun safe and had access to his firearms prior to the shootings.

21. R [REDACTED] told me that both he and Robert knew people at both Schemengees and Sparetime Recreation. When I asked R [REDACTED] where Robert might go, he said Maine Recycling where Robert had worked. R [REDACTED] told me last April that Robert had an issue with an employee. R [REDACTED] sister N [REDACTED] had spoken with the manager at Maine Recycling and they were not aware of Robert having had any problems with a co-worker.
22. I [REDACTED] provided me with Robert's son's phone number, C [REDACTED] C [REDACTED] [REDACTED] is Robert's son and his phone number is [REDACTED]
23. F [REDACTED] has not had very much contact with Robert in the past month as he has distanced himself and not responded to his messages, or family going to his residence.
24. On October 26, 2023, Det. Knight drafted a search warrant that was approved by Judge Tammy Hamm-Thompson. That warrant identified the above described property as [REDACTED] West Road, Bowdoin, Maine. However, TLO also identifies the property as 1017 West Road, Bowdoin, Maine. The property is the same, however there are two different address numbers for the same property. This property was identified by Det. Knight as Robert's current residence.
25. At 1320 hours, I was made aware that the residence is not properly marked with a house or box number. I used TLO which is an open source online database that collects public information. I queried Robert Card (4/4/1983) and learned that the address listed was 1017 West Road in Bowdoin, Maine.
26. At 1330 hours, I learned that a Ruger SPAR 762/308 rifle was recovered from Robert's Subaru that was found abandoned in the Pejepscot boat launch.
27. At 1544 hours, I appeared via ZOOM before Judge Tammy Hamm-Thompson to apply for a search warrant with the amended address covering [REDACTED] and 1017 West Road in Bowdoin.

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28. At 1608 hours, I received the signed search warrant from Judge Ham-Thompson.
29. At approximately 1845 hours, I spoke with Sgt. Chris Cookson of the Maine State Police Computer Crimes Unit. Sgt. Cookson told me that during the execution of the search warrant at Robert's residence at 1017 West Road in Bowdoin a Samsung Galaxy S22 Ultra cell phone had been located inside. The IMEI # on the cell phone was 358298660809037.
30. I also learned that a note was left in the residence providing the pass code to unlock the cell phone.
31. I was aware that through investigator's working on this case by serving legal process and searching open source records that Robert's phone number was 207-837-3761. The phone number was registered to AT&T. Through an exigent circumstance subpoena by Maine State Police to AT&T on 10/25/2023. AT&T provided the IMEI # as 358298660809037, which is the device investigators located at Robert's residence during the search warrant. Robert was not located at his residence during the search warrant.
32. In my experience, individuals with portable electronic devices communicate information about their activities and location in numerous ways to include, but not limited to, voice communications such as direct conversations and voicemail, sharing photographs and written communications such as text messages. In addition, I know that users or subscribers of portable electronic devices utilize the cellular network to exchange information over the internet. Such communication can occur without user input on the device (i.e. email, regular automatic updates from websites, application data exchanges, and account update searches). These communications are transmitted through cell sites in the vicinity where the cellphone making the communication was located.
33. I am aware that AT&T keeps and stores records from their towers on servers located at AT&T headquarters in Florida.
34. I also know from my training, education and experience that certain patterns of behavior can be identified through investigation of the data contained in the records. Such patterns can be analyzed and compared with information

Search Warrant Affidavit

known to investigators to determine a probable sequence of events while also corroborating or impeaching any suspect's alibi. To identify those patterns, and any subsequent deviation from said patterns, a responsible data set is necessary. Based on training and experience I know that sixty to ninety (60-90) days is a responsible period of data collection.

35. I am aware that the United States Supreme Court has recognized that a "significant majority of American adults now own" smart phones and that cell phones "are now such a pervasive and insistent part of daily life that the proverbial visitor from Mars might conclude they were an important feature of human anatomy." *Riley v. California*, 573 U.S. 373, 385 (2014). The *Riley* Court recognized that nearly three-quarters of smart phone users admit being within five feet of their phone most of the time and that "phones have become important tools in facilitating coordination and communication among members of criminal enterprises, and can provide valuable incriminating information about dangerous criminals." *Riley* at 395, 401. In the *Carpenter* case, the Court recognized that there are 396 million cell phone service accounts in the U.S. for a population of 326 million people making it far more than probable for an individual to have a cell phone. *Carpenter v. U.S.*, 138 S.Ct. 2206, 2211 (2018). The Court also recognized that "carrying [a cell phone] is indispensable to participation in modern society," and that a phone's location "tracks nearly exactly the movements of its owner." *Carpenter*, at 2220, 2218.

36. This affidavit had been reviewed by Leane Zainea and Suzanne Russell who have been prosecutors for over 30 years and 25 years respectively and have reviewed 100s of search warrants.

PART IV.

Based upon my experience, education, and training and the facts made known to me during the course of this investigation, there is probable cause to believe, and I do believe that evidence of the crime(s) of Murder in violation of 17-A M.R.S. § 201

Search Warrant Affidavit

will be located in the records associated with cell phone number(s) 207-837-3761 which may be found on AT&T's servers.

- a. Through my training, education and experience, Robert has a Samsung Galaxy cell phone bearing the IMEI number 358298660809037 with an AT&T phone number of 207-837-3761.
- b. On a search warrant at Robert's residence the Samsung Galaxy cell phone was recovered also bearing the IMEI number 358298660809037.
- c. Through the investigation, investigators have learned that Robert used that phone number and cell phone device to communicate with others up until 10/26/ 2023 . The AT& T records will reasonably contain information related to his communications with others before the murders and the records will contain location information that will enable investigators to track his movements before, during and after the murders. The records will help investigators determine who he may have communicated with prior to and after the murders and will likely yield information about his state of mind. The records may also help investigators identify any other potential witnesses to his whereabouts before and after the murders as well as any information as to planning, motive and other information that will assist the investigators are contained on AT&T servers.

V. SPECIAL REQUESTS

a. WAIVER AND PRECLUDING NOTICE

- i. Your affiant is requesting that this court make a finding of an ADVERSE RESULT under 16 M.R.S. §§ 643 and 649 for the following reasons. [At this time, the subject has not been informed of this investigation. If the subject is notified of this investigation, the individual can delete material that is stored remotely on other social media sites or remote computing services as well as any remaining digital material that exists locally resulting in the destruction or tampering with evidence and/or potentially jeopardizing the investigation.] In addition, the information received from AT&T could result in new investigative leads and

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witnesses that could be jeopardized if the delayed.] Accordingly, I am requesting that the Court order that notice of receipt of the material be waived for your affiant.

1. **Waiver of Notice to Owner or User of Electronic Device.** Based on the facts set forth in the affidavit, and pursuant to M.R.U. Crim. P. 41B(c) & (d) and 16 M.R.S. §§ 643(2) & 649(2), it is hereby requested that the court order that the notification ordinarily required under 16 M.R.S. §§ 643 & 649 is waived, based on the determination that such disclosure would have an adverse result, meaning (1) immediate danger of death or serious physical injury, (2) flight from prosecution, (3) destruction of or tampering with evidence, (4) intimidation of a potential witnesses, (5) seriously jeopardizing an investigation, or (6) undue delay of a trial.

b. Service and Requirements on AT&T

- i. **Response time:** I am aware that on June 8, 2017, the Maine legislature passed 16 M.R.S. § 56 provides the procedure for service of a search warrant on an electronic communication service provider or remote computing service provider located out of state. The provider is required to provide results within 14 days of service. If the provider cannot comply with that timeline, it must provide notice to me so I can notify the court and provide "good cause" to extend the time for the response. I am requesting that the search warrant inform AT&T that if it cannot comply in 14 days then it must so notify me in 10 days to provide me time to notify the court and request additional time.
- ii. **Verification:** I request that, pursuant to 15 M.R.S. § 56, the Court order AT&T to verify the authenticity of records that it produces by providing an affidavit that complies with the requirements set forth in the Maine Rules of Evidence, Rule 902(12).

Search Warrant Affidavit

iii. Receiving the material: I further request that AT&T shall disclose responsive data, if any, by sending to Detective Martin Royle, at Martin.G.Royle@maine.gov.

c. Use of Civilians

- i. I respectfully request that civilian employees of AT&T be authorized to assist in this search warrant.
- ii. I further request that the warrant authorize the subsequent examination of the contents of the material provided by investigators and computer forensic examiners from the Maine State Police Computer Crimes Unit, or any other State or federal law enforcement agencies, and that it also authorize the assistance of civilian employees of such law enforcement agencies.

WHEREFORE, I pray that a warrant may issue authorizing a search of the Property/Premises described above in Part I for the Property/Evidence described above in Part II, and that if such Property/Evidence be found that it shall be seized.

I hereby swear under pains and penalties of perjury that the facts set forth in this affidavit are true and correct to the best of my knowledge, information and belief.

Dated: 10/27/2023 11:44 AM Blake Conrad
Detective Blake K. Conrad
Maine State Police

Appeared before me under oath on this date the above-named Blake K. Conrad and signed and swore to the truth of the facts contained in the foregoing instrument.

Dated: 10/27/2023 [Signature]
District Court Judge / Superior Court Justice

Search Warrant

STATE OF MAINE
SAGadahoc, ss.

UNIFIED CRIMINAL DOCKET
LOCATION: West Bath
DOCKET NO. _____

IN RE: SEARCH WARRANT)	SEARCH WARRANT
REGARDING SAMSUNG GALAXY)	[M.R.U. Crim. P. 41 & 41B]
S22 ULTRA SEIZED FROM)	
██████████ and/or 1017 West Road, Bowdoin)	

To: Any officer authorized by law to execute this Search Warrant;

Affidavit having been made before me by Detective Blake K. Conrad of the Maine State Police Computer Crimes Unit; and as I am satisfied that there is probable cause to believe that grounds for the issuance of a search warrant exist; you are hereby commanded to search the place(s) or person(s) specified herein and, if the specified property is found, to seize such property and prepare a written inventory of the property seized in 14 days. The Court has authority to issue this warrant under 16 M.R.S. § & 648, 15 M.R.S. §§ 55 & 56, M.R.U. Crim. P. 41 & 41B.

Part I: Located on or about the property/premises described below, namely:

A blue in color with black case, Samsung Galaxy S22 Ultra, Model #-SM-S908U, Serial Number-R5CTS0H2V2L, IMEI-358298660809037 seized by Sgt. Jason Andrews during a search warrant at 1017 West Road in Bowdoin listed as Item #1 in FileOnQ evidence tracker under case number 23S056128.

Part II: There is certain property/evidence, namely:

The following information from the phone or each of the phones listed above which constitute evidence or instrumentalities of the offense(s) of, or itself constitutes an instrumentality of, the offenses of murder in violation of 17-A M.R.S. § 201:

- A. Records, logs, or images in digital form evidencing ownership or use of the phone including any calendaring functions;
- B. Information regarding the telephone number associated with the seized phone, its service provider and all data used by a service provider to identify the phone, including the phone’s International Mobile Equipment Identity (IMEI),

Search Warrant

Mobile Equipment Identifier (MEID), Media Access Control (MAC) Address and other unique identifiers;

C. Evidence of other accounts associated with this phone including email addresses, social media accounts, messaging “app” accounts, and other accounts that may be accessed through the phone that will aid in determining the possessor/user of the phone, including any remote storage devices or accounts;

D. Evidence of the identity of the person in possession of the phone on or about any times that items of evidentiary value, located pursuant to this warrant, were created modified, accessed or otherwise manipulated. Such evidence may be found in digital communications, photos and video and associated metadata, phone logs, documents, social media activity, and similar data;

E. Evidence of use of the phone to communicate with or others about the above-listed crime(s), via incoming or outgoing calls, chat sessions, instant messages, text messages (either Short Message Service (SMS) or Multimedia Messaging Service (MMS), app communications, social media, and other similar digital communications;

F. Information that can be used to calculate the position of the phone, including location data; cell tower usage; GPS satellite data; GPS coordinates for routes and destination queries between the above-listed dates; “app” data or usage information and related location information; wifi connections and images created, accessed or modified between the above-listed dates, together with their metadata and EXIF tags;

G. And for the date range of 7/25/2023-10/25/2023, the following information:

H. Communications with R [REDACTED] C [REDACTED] L [REDACTED], C [REDACTED] C [REDACTED]
[REDACTED] N [REDACTED] H [REDACTED] R [REDACTED] C [REDACTED], B [REDACTED] C [REDACTED]
[REDACTED]

Search Warrant

- I. Location information to include Schemengees Bar, Sparetime Recreation, Mixers, Gowell's Market, Maine Recycling, and Pejepsot Boat Launch as well as frequent locations.
- J. Firearms sales, transfers and purchases to include ammunition.
- K. Communications, language or content discussing Schemengees Bar, Sparetime Recreation, Mixers, Gowell's Market, Maine Recycling, to include employees or patrons.
- L. Communications to include language such as "Pedophile", "cornhole".
- M. Any of the material listed above required that may exist in the unallocated portion of the device without a date associated with it.

This Court has authority to issue this warrant pursuant to 16 M.R.S. §§ 642(1) & 648, 15 M.R.S. §§ 55 & 56, and M.R.U. Crim. P. 41 & 41B.

Part III: SPECIAL PROVISIONS

A. WAIVER

Waiver of Notice to Owner or User of Electronic Device. Based on the facts set forth in the affidavit, and pursuant to M.R.U. Crim. P. 41B(c) & (d) and 16 M.R.S. §649(2), it is hereby ORDERED that the notification by the officer ordinarily required under 16 M.R.S. § 649 is waived, based on the determination that such disclosure would have an adverse result, for the reasons marked below:

- (1) immediate danger of death or serious physical injury,
- (2) flight from prosecution,
- (3) destruction of or tampering with evidence,
- (4) intimidation of a potential witness,
- (5) seriously jeopardizing an investigation, or
- (6) undue delay of a trial.

Search Warrant

OR

The Court order that providing the affidavit, inventory and search warrant to the subject as part of discovery in compliance with MAINE RULES OF UNIFIED CRIMINAL PROCEDURE Rule 16 is a means reasonably calculated to be effective in accordance with M.R.S. Title 16 § 643 (1) & § 649(1).

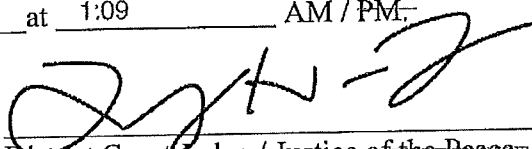
B. USE OF CIVILIANS AND FORENSIC REVIEW OF THE DEVICE

It is further authorized that the phone(s) seized may be examined by a trained forensic examiner from the Maine State Police Computer Crimes Unit, or any other State or federal law enforcement agency either at the place of seizure or upon removal of the equipment to a forensic lab, or both. This warrant further authorizes the exporting of data of the device(s) for subsequent forensic examination. It is further authorized that civilian employees of the Maine Department of Public Safety, or any other State or federal law enforcement agency may assist in the execution of this warrant.

C. DAYTIME WARRANT ONLY

This warrant shall be executed between the hours of 7:00 A.M. and 9:00 P.M., and shall be returned, together with a written inventory, within 10 days of the issuance hereof, to the Maine District Court located in West Bath, Maine.

Issued in Hallowell, Maine in the County of Kennebec this
27th day of October at 1:09 AM / PM.



District Court Judge / Justice of the Peace

Inventory

STATE OF MAINE
SAGADAHOC, ss.

UNIFIED CRIMINAL DOCKET
LOCATION: West Bath
DOCKET NO. _____

IN RE: SEARCH WARRANT
REGARDING SAMSUNG GALAXY
S22 ULTRA SEIZED FROM

)
)

AFFIDAVIT AND REQUEST

[M.R.U. Crim. P. 41 & 41B]

██████████ and/or 1017 West Road, Bowdoin

)

The following material(s) were seized pursuant to the above search warrant:

[INSERT DEVICE(S) AND SUMMARY OF MATERIAL SEIZED – ie. phone and communications and location information residing on the device.]

VERIFICATION

The Maine State Police seized the portable electronic device set forth above in this inventory pursuant to a search warrant signed on DATE WARRANT SIGNED] by [Judge signing warrant] regarding an investigation into murder in violation of 17-A M.R.S. § 201.

Date:

Blake K. Conrad

Personally appeared the above named, Blake K. Conrad, and made oath to the truth of the foregoing inventory.

Date:

Clerk/Notary Public

Search Warrant Affidavit

Search Warrant

STATE OF MAINE
SAGADAHOC, ss.

UNIFIED CRIMINAL DOCKET
LOCATION: West Bath
DOCKET NO. _____

IN RE: SEARCH WARRANT)
REGARDING SAMSUNG GALAXY)
S22 ULTRA SEIZED FROM)
[REDACTED] and/or 1017 West Road, Bowdoin)

SEARCH WARRANT
[M.R.U. Crim. P. 41 & 41B]

To: Any officer authorized by law to execute this Search Warrant;

Affidavit having been made before me by Detective Blake K. Conrad of the Maine State Police Computer Crimes Unit; and as I am satisfied that there is probable cause to believe that grounds for the issuance of a search warrant exist; you are hereby commanded to search the place(s) or person(s) specified herein and, if the specified property is found, to seize such property and prepare a written inventory of the property seized in 14 days. The Court has authority to issue this warrant under 16 M.R.S. § & 648, 15 M.R.S. §§ 55 & 56, M.R.U. Crim. P. 41 & 41B.

Part I: Located on or about the property/premises described below, namely:

A blue in color with black case, Samsung Galaxy S22 Ultra, Model #-SM-S908U, Serial Number-R5CTS0H2V2L, IMEI-358298660809037 seized by Sgt. Jason Andrews during a search warrant at 1017 West Road in Bowdoin listed as Item #1 in FileOnQ evidence tracker under case number 23S056128.

Part II: There is certain property/evidence, namely:

The following information from the phone or each of the phones listed above which constitute evidence or instrumentalities of the offense(s) of, or itself constitutes an instrumentality of, the offenses of murder in violation of 17-A M.R.S. § 201:

- A. Records, logs, or images in digital form evidencing ownership or use of the phone including any calendaring functions;
- B. Information regarding the telephone number associated with the seized phone, its service provider and all data used by a service provider to identify the phone, including the phone's International Mobile Equipment Identity (IMEI),

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Mobile Equipment Identifier (MEID), Media Access Control (MAC) Address and other unique identifiers;

C. Evidence of other accounts associated with this phone including email addresses, social media accounts, messaging “app” accounts, and other accounts that may be accessed through the phone that will aid in determining the possessor/user of the phone, including any remote storage devices or accounts;

D. Evidence of the identity of the person in possession of the phone on or about any times that items of evidentiary value, located pursuant to this warrant, were created modified, accessed or otherwise manipulated. Such evidence may be found in digital communications, photos and video and associated metadata, phone logs, documents, social media activity, and similar data;

E. Evidence of use of the phone to communicate with or others about the above-listed crime(s), via incoming or outgoing calls, chat sessions, instant messages, text messages (either Short Message Service (SMS) or Multimedia Messaging Service (MMS), app communications, social media, and other similar digital communications;

F. Information that can be used to calculate the position of the phone, including location data; cell tower usage; GPS satellite data; GPS coordinates for routes and destination queries between the above-listed dates; “app” data or usage information and related location information; wifi connections and images created, accessed or modified between the above-listed dates, together with their metadata and EXIF tags;

G. And for the date range of 7/25/2023-10/25/2023, the following information:

H. Communications with R [REDACTED] C [REDACTED] L [REDACTED], C [REDACTED] C [REDACTED]
[REDACTED] N [REDACTED] H [REDACTED] R [REDACTED] C [REDACTED] B [REDACTED] C [REDACTED]
[REDACTED]

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- I. Location information to include Schemengees Bar, Sparetime Recreation, Mixers, Gowell's Market, Maine Recycling, and Pejepscoot Boat Launch as well as frequent locations.
- J. Firearms sales, transfers and purchases to include ammunition.
- K. Communications, language or content discussing Schemengees Bar, Sparetime Recreation, Mixers, Gowell's Market, Maine Recycling, to include employees or patrons.
- L. Communications to include language such as "Pedophile", "cornhole".
- M. Any of the material listed above required that may exist in the unallocated portion of the device without a date associated with it.

This Court has authority to issue this warrant pursuant to 16 M.R.S. §§ 642(1) & 648, 15 M.R.S. §§ 55 & 56, and M.R.U. Crim. P. 41 & 41B.

Part III: SPECIAL PROVISIONS

A. WAIVER

Waiver of Notice to Owner or User of Electronic Device. Based on the facts set forth in the affidavit, and pursuant to M.R.U. Crim. P. 41B(c) & (d) and 16 M.R.S. §649(2), it is hereby ORDERED that the notification by the officer ordinarily required under 16 M.R.S. § 649 is waived, based on the determination that such disclosure would have an adverse result, for the reasons marked below:

- (1) immediate danger of death or serious physical injury,
- (2) flight from prosecution,
- (3) destruction of or tampering with evidence,
- (4) intimidation of a potential witness,
- (5) seriously jeopardizing an investigation, or
- (6) undue delay of a trial.

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OR

The Court order that providing the affidavit, inventory and search warrant to the subject as part of discovery in compliance with MAINE RULES OF UNIFIED CRIMINAL PROCEDURE Rule 16 is a means reasonably calculated to be effective in accordance with M.R.S. Title 16 § 643 (1) & § 649(1).

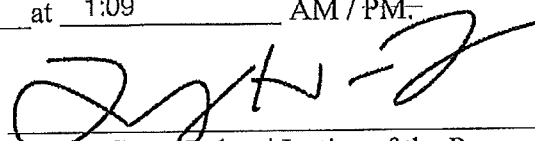
B. USE OF CIVILIANS AND FORENSIC REVIEW OF THE DEVICE

It is further authorized that the phone(s) seized may be examined by a trained forensic examiner from the Maine State Police Computer Crimes Unit, or any other State or federal law enforcement agency either at the place of seizure or upon removal of the equipment to a forensic lab, or both. This warrant further authorizes the exporting of data of the device(s) for subsequent forensic examination. It is further authorized that civilian employees of the Maine Department of Public Safety, or any other State or federal law enforcement agency may assist in the execution of this warrant.

C. DAYTIME WARRANT ONLY

This warrant shall be executed between the hours of 7:00 A.M. and 9:00 P.M., and shall be returned, together with a written inventory, within 10 days of the issuance hereof, to the Maine District Court located in West Bath, Maine.

Issued in Hallowell, Maine in the County of Kennebec this
27th day of October at 1:09 AM / PM.


District Court Judge / Justice of the Peace

Inventory

STATE OF MAINE
SAGADAHOC, ss.

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LOCATION: West Bath
DOCKET NO. _____

IN RE: SEARCH WARRANT
REGARDING SAMSUNG GALAXY
S22 ULTRA SEIZED FROM

) AFFIDAVIT AND REQUEST

and/or 1017 West Road, Bowdoin

) [M.R.U. Crim. P. 41 & 41B]
)

The following material(s) were seized pursuant to the above search warrant:

[INSERT DEVICE(S) AND SUMMARY OF MATERIAL SEIZED – ie. phone and communications and location information residing on the device.]

VERIFICATION

The Maine State Police seized the portable electronic device set forth above in this inventory pursuant to a search warrant signed on DATE WARRANT SIGNED] by [Judge signing warrant] regarding an investigation into murder in violation of 17-A M.R.S. § 201.

Date:

Blake K. Conrad

Personally appeared the above named, Blake K. Conrad, and made oath to the truth of the foregoing inventory.

Date:

Clerk/Notary Public