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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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**In the Matter of the Application  
for a Search Warrant for  
123-45 NAME OF STREET  
CITY, STATE**

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**TO BE FILED UNDER SEAL**

AFFIDAVIT IN SUPPORT OF  
APPLICATION FOR  
A SEARCH WARRANT

(T. 18, U.S.C., §§ 513, 1341, 1343, 2314,  
T. 49, U.S.C. §§ 32703(2), 32709(6))

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SAM SPADE, being duly sworn, deposes and says that he is a Postal Inspector of the United States Postal Inspection Service, duly appointed according to law and acting as such:

Upon information and belief, there is probable cause to believe that there is presently located on THE PROPERTY OR PREMISES KNOWN AS THE RED BRICK TWO-STORY HOUSE, ITS LOT AND THE ADJOINING DIRT LOT LOCATED AT [ADDRESS OF PLACE TO BE SEARCHED], more fully described in Attachment 1 hereto, (the "SUBJECT PREMISES"), the following: bills of sale, motor vehicle titles, applications for motor vehicle titles, ledger books, police books, odometer disclosure statements, checks, automobile auction applications, motor vehicle reassignment forms, correspondence, and other documents or records referring or relating to the purchase, sale, repair, modification or alteration of motor vehicles; rubber stamps, signature facsimile stamps or other stamps for motor vehicle dealerships; applications for motor vehicle dealer licenses, motor vehicle dealer licenses, correspondence and

other documents or records referring or relating to the licensing of motor vehicle dealers; tools, materials and equipment used to alter and forge documents, including, but not limited to, scalpels, erasers, pens, chemical solutions, typewriters, inks, and dyes; tools, materials and equipment used to alter motor vehicle odometers, including, but not limited to, picks, screwdrivers, awls and hooks; motor vehicles; and computers, floppy disks and other magnetic media, all of which constitute contraband, evidence, fruits and instrumentalities of violations of Title 18, United States Code, Sections 513, 1341, 1343 and 2314, and Title 49, United States Code, Sections 32703(2) and 32709(6).

The source of your deponent's information and the grounds for his belief are as follows:

1. This affidavit is submitted in support of the Government's application to search the SUBJECT PREMISES, which is a two-story red brick house, its lot and the adjoining dirt lot which are the subject of the instant investigation. The information supplied herein is based on the investigation as described below and on my conversations with other law enforcement agents -- including, but not limited to, other state agents who are conducting a joint investigation into this matter.

2. As detailed below, there is probable cause to believe that the SUBJECT PREMISES contains evidence of crimes, including, but not limited to, conspiracy to violate federal law, the tampering with odometers, and the making, possessing and transfer of falsely made, altered, forged or counterfeited securities, to wit, automobile titles, in violation of 49 U.S.C. §§ 32703(2) and 32709(6), and 18 U.S.C. §§ 513, 1341, 1343, and 2314, inter alia.

3. I am a Postal Inspector with the U.S. Postal Inspection Service assigned to the

Fraud Unit, New York, New York. I have served in this position for approximately umpteen years. During my umpteen years of service with the U.S. Postal Inspection Service, I have participated in numerous investigations related to enforcement of state and federal laws.

4. In the course of my official duties over the past umpteen years, I have been involved in hundreds of investigations, including but not limited to investigations of fraud and automobile-related crimes. Several of those investigations involved the preparation and execution of search warrants for business records similar to those involved in the activities described below.

5. I am presently involved in an investigation involving violations of federal odometer tampering and other laws arising out of activities in New York State. The investigation involves possible violations of statutes prohibiting odometer tampering (49 U.S.C. §§ 32703(2), 32709(b)), the interstate transfer of falsely made, altered, forged, or counterfeited securities (18 U.S.C. § 2314), the making, uttering, or possessing of forged or counterfeited securities (18 U.S.C. § 513), mail fraud (18 U.S.C. § 1341), and wire fraud (18 U.S.C. § 1343).

6. As part of my duties, I or investigators with whom I am working have conducted surveillance of the location to be searched; interviewed several individuals; and reviewed records obtained from the New York Department of Motor Vehicles, various auto auctions, mail covers, and banks. The statements below are based on my personal knowledge, my surveillance, my review of documents and records, and my discussions with investigators who have assisted me in this investigation, including Joe Blow, Senior Investigator, New York Department of Motor Vehicles, Division of Field Investigation, Odometer Crimes Unit ("NY DMV-DFI") and Curly

Moe, Senior Investigator, NY DMV-DFI, and on information provided by cooperating witnesses (CW-1 and CW-2). I have relied on attorneys from the United States Department of Justice, Office of Consumer Litigation, in my discussion and citation of legal authority in this affidavit. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts I have learned during the course of the investigation described herein. Where the contents of documents and the actions, statements and conversations of others are reported herein, they are related in substance and in part only, except as otherwise indicated.

#### I. LOCATION TO BE SEARCHED

7. The SUBJECT PREMISES, [address] is a residential property. According to tax assessment records, the owner of the property is "xxxxxxxx xxxxxxxx." [Name of subject] is a resident at the address. From the end of [date], until the end of [date], the U.S. Postal Inspection Service conducted a mail cover at this address. The mail was consistently addressed to [name of subject] and others. These mailings included mail from auto auctions and the New York Department of Motor Vehicles. Phone records obtained several months ago list [name of subject] as the user. As noted below, [name of subject] has been identified selling vehicles and state motor vehicle forms from this address on numerous occasions during the last few months, including on [date], and [date].

8. The SUBJECT PREMISES, [address], is a lot on which is located a red brick, two-story residential building, a parking area and a yard. [Several lines describing the property and access thereto.]

9. As recently as [recent dates], and on a number of other occasions when I and

investigators of NY DMV-DFI have conducted surveillance at [address], we observed automobiles at the site, including vehicles with dealer plates that have been verified as registered to [dealership name], an automobile dealership that is registered in New Jersey to [name of subject]. Any vehicles belonging to [dealership] or other dealerships registered to [name of subject] may be evidence of possible odometer fraud.

## II. MECHANICS OF SCHEME TO ALTER ODOMETERS

10. While the exact method of operation used by those involved in altering or "rolling back" odometers varies somewhat, the typical pattern is as follows. Persons engaged in rolling back odometers generally purchase late-model, high-mileage used cars from other individuals, dealers, or at auto auctions. The cars are then brought back to the purchasing dealer's used car lot, where the cars are "cleaned up" to be made more attractive. Such work may include legitimate preparation, such as washing and polishing, painting, installing new tires, and performing minor physical and mechanical repairs. On or about this time, the dealer or someone under his direction will alter the odometer to reflect a false, lower mileage. This is usually done by disassembling the car's dashboard and resetting the odometer to a lower number.

11. Once the dealer has "spun," or changed, the odometer and otherwise prepared the vehicle for re-sale, he may sell it to another car dealer, either directly or through an auto auction, who will put the car on his lot for sale to a consumer, or may sell the car directly to a consumer. The mileage or odometer reading is a very important factor in determining the price of a used car in a sale to the ultimate consumer.

12. Several types of documents are involved in the sale of a used car. First, federal

law requires that all sellers of motor vehicles must, at the time of sale, prepare and sign a statement, which the buyer will sign as well, disclosing the vehicle's then current mileage. This document is known as an odometer disclosure statement. See 49 U.S.C. § 32705 (formerly codified at 15 U.S.C. § 1988); 49 C.F.R. § 580.5. All cars have a corresponding title, issued by the state department of motor vehicles (or its equivalent), which shows who owns the vehicle and whether there are any outstanding liens or other security interests against it. The front of the title will show either the car's original mileage at the time of purchase from the manufacturer's dealer representative, or, if the car has been subsequently resold or the original title has become lost, the vehicle's mileage as of the time that a new title was issued.

13. The back of the title contains a block that is used to evidence the transfer of the car's ownership to a new owner. Because dealers who purchase vehicles solely for purposes of re-sale are usually not required to obtain new titles for the cars that they buy, the backs of titles contain two or three blocks that are used to evidence re-assignments of title by dealers. All the blocks on the back of a title have a space for recording the odometer reading at the time of sale. If the blocks on the back of a title are full at the time of a sale, the dealer making the sale must execute a separate re-assignment of title (sometimes called a re-assignment supplement). It, too, will have a space for disclosing the car's current mileage. Federal law now requires titles and re-assignment supplements to contain odometer disclosure statements. See 49 C.F.R. § 580.5.

14. New York and New Jersey generally do not require application for a title by a motor vehicle dealer who will only own the car long enough to resell it. As discussed above, the purchase and sale of vehicles among dealers is normally accomplished by filling in the blanks on

the reverse of the title and, when space no longer permits, on a separate reassignment form.

Indeed, wholesale dealers (those who do not sell directly to consumers) often do not title vehicles in their own business names since this not only costs money, but also, in some instances, causes a delay of several days before the new title ownership documents are received. This delay, in turn, causes the purchasing dealer to delay payment until the new ownership documents are received.

However, as discussed below, a wholesale dealer involved in odometer tampering often needs to obtain a "clean" title so that the paperwork he passes on to subsequent buyers will match the false odometer mileage reading showing on the vehicle.

15. A dealer who rolls back an odometer will have received from the previous owner a title (and sometimes a separate re-assignment supplement) that usually shows the true "high" mileage for the vehicle. The mileage listed on the title or other motor vehicle documents will therefore not correspond to the odometer of a motor vehicle once the odometer has been altered. In this way the comparison of an unaltered title and the vehicle may constitute evidence of an odometer rollback. In addition, motor vehicle documents may constitute evidence even where they contain accurate mileage information. Such documents may reveal, for example, an individual's knowledge of titling requirements and odometer certification, or a pattern of dealing.

16. Analysis of a dealer's legitimate transactions and pattern of business may help to establish that the alteration of mileage on certain title documents and on certain vehicles took place with the knowledge of the dealer. Therefore, in order to conceal his odometer alteration from subsequent purchasers, the dealer may "wash" the title.

17. "Title-washing" involves the creation of paper transactions in which one used car

dealer creates a fictitious reassignment of title to another used car dealer, who then obtains a new motor vehicle certificate of title. The false, low mileage reading appears on the face of the newly issued certificate of title. A second fictitious reassignment of title then is issued, which reassigns the newly issued title back to the original dealer (or to a third dealer participating in the conspiracy). See generally United States v. Davis, 888 F.2d 283, 284 (3d Cir. 1989), aff'd sub nom. Moskal v. United States, 498 U.S. 103 (1990).

18. A title may be "washed" (that is, removing high mileage readings on a title) in a number of different ways. For example, a dealer may file a fraudulent application for a replacement title in the name of a previous registered owner of a car, often claiming that the original title was lost or destroyed. After obtaining a new title, which has the original mileage at the time that the previous owner titled the car, the dealer will then show an assignment on the back of the title either directly to him from the original owner at the new, false, low mileage, or to him through an assignment from a fictitious buyer from the first owner. The signature of the original owner on the application for the replacement title will be forged, as will the assignment(s) on the title itself.

19. Similarly, an individual may apply for a duplicate title in his own or his dealership's name, claiming that the original title has been lost and indicating (often through the use of forged signatures) that all other individuals or entities with an interest in the car have released that interest. The dealer will then use the duplicate title to transfer ownership of the car at a fictitious low mileage that matches the false mileage on the vehicle's odometer.

20. Another "washing" scheme that a dealer may employ is to create one or more

paper sales to fictitious purchasers at the lower mileage and then obtain a new title in the name of one of the fictitious buyers. This title, which reflects the altered mileage, will subsequently be used in the sale by the dealer.

21. In addition to "washing" titles, a dealer might physically alter the odometer mileage shown on the original title (and occasionally on the re-assignment supplement, if there is one). This frequently involves the use of, among other things, chemical solutions, scalpels, erasers, and inks. A consumer may use the altered mileage on the odometer in applying for a new title, thereby transferring the altered mileage to the title for that car without knowing that the altered mileage is not the true mileage for the car.

### III. THE INVESTIGATION

22. [Name of subject] engages in the purchase and sale of used motor vehicles. According to auto dealership licensing records in [states], [name of subject] owns two used car dealerships, [names and addresses]. According to the records of [name] Auto Auction in [state], [name of subject] is also authorized at that auction to represent xxxxxxxxx Sales, a used car dealership owned by [name of subject's relative]. xxxxxxxxxxxxxx Sales is located at [address]. [That dealership] was a used car dealership that [name of subject] owned with his [relative].

23. [Name of subject] operates his dealership, xxxxxxxxxx, from his home at [address of place to be searched]. The address used for the registration of [that dealership] at xxxxxxxxxxxxxx Auto Auction is [name of subject's] home address, [address]. Records show that the phone company Verizon sent its bills for [the dealership at that address]. Records show that [another dealership name the subject uses] receives its mail from xxxxxx, a used car information

service, at [address to be searched]. xxxxxxxxxxxxxxxxxxxxxxxx Auction has sent mail for [dealership name] to [address to be searched].

24. [Name of subject] is involved in a scheme to defraud through the sale of used cars with "rolled-back" odometers. [Name of subject] buys cars with high-mileage and causes the odometer on the cars to be rolled back so that he can sell them at an inflated price as more valuable, lower-mileage cars. As described below, [name of subject] also sells reassignment documents to others who he knows engage in this activity.

25. [Name of subject] purchases high-mileage cars at various used car auctions in the states of xxxxxxxxxxx, yyyyyyyyyyy, zzzzzzzzzzzzz and aaaaaaaaaaaaa. Each purchase of a used car at an auto auction will generate an invoice showing to whom the car was sold and the current mileage of the car. A review of auto auction invoices obtained in this investigation show that [name of subject] purchases used cars at these auctions through the used car dealerships that [name of subject] owns, [naming them].

26. Once [name of subject] purchases a high-mileage car at an auto auction on behalf of one of his dealerships, in some cases the dealership will then sell the car to a non-existent company. This transaction is purely a paper transaction, in that the company "buying" the car does not exist and the car never changes hands. The purpose of this transaction is to generate paperwork for the used car showing lower mileage than the true mileage of the car and lower than the mileage on the car when [name of subject] purchased the car at an auction.

27. [name of subject] causes the mileage to be rolled back on the high-mileage used cars that he purchases at the auto auctions. The "rolled back" mileage of the car matches the

mileage on the paperwork from the transactions mentioned above between [name of subject]' dealerships and others. As described below, [name of subject] marked some portion of these titles as having an inaccurate odometer, a designation that was changed later during the titling procedure.

28. Once [name of subject] has caused the mileage to be rolled back on a used car and has the paperwork for the sham sale of the car, he offers the car for sale to the public. [name of subject] advertises these cars for sale in a newspaper with a cell phone number that a consumer can call to set up a time to see the car. When a consumer calls the number, [name of subject] will arrange to meet the consumer with the car either at a residence or a street-side location. [name of subject] will then sell the used car with the rolled-back mileage to the consumer. Agents of NY DMV-DFI and I have interviewed ten consumers who believed they were purchasing low mileage vehicles, when the auction records show the vehicles had higher mileage when [name of subject]' dealership purchased them at the auction.

29. [name of subject] and his used car dealerships are associated with AB&CD Sales, [address], ZZZZZ Auto Sales, [address], AAAAAA BBBBB Auto Sales, [address], and DDDDDDDDD Discount Sales, [address], in the use of rolled back used cars. Joe Blow of NY DMV-DFI stated that surveillance by the NY DMV-DFI revealed that the owners and employees of these dealerships use the same rolled back used cars. For example, on [date], an investigator of the NY DMV-DFI observed [name of subject] leaving DDDDDDDDD Discount Sales in a 1994 Chrysler Concord that had dealer license plates that were registered to ZZZZZ Auto Sales. Blow stated that a review of records showed that the Concord had been sold to AB&CD Sales on

[date], with 89,155 miles and then sold on [date], by EEEEE Dealership Sales with 49,295 miles. An investigator of NY DMV-DFI observed the Concord's odometer on [date]. The odometer read 88,024 miles, a mileage reading less than the mileage that the car had when it was sold to AB&CD Sales almost four years earlier on December 11, 1997.

30. On [date], an undercover investigator from NY DMV-DFI went to [address of place to be searched], the residence of [name of subject], to inquire about a 1995 White Plymouth Voyager that [name of subject] had for sale. The investigator was able to observe the Vehicle Identification Number of the Voyager, which was xxxxxxxxxxxxxxxxxxxx, and its odometer, which read 62,000 miles. Records reviewed by an NY DMV-DFI investigator indicate that xxxxxxxxxxxx Subaru of xxxxxxx, xxxxxxxxxxxx, previously owned the Voyager and that the Voyager was sold at xxxxxxxxxxxx Auto Auction in xxxxxxx, xxxxxxxxxxxx, to [name of subject] of XXXXX Sales Sales, Inc., on [date], with a mileage reading of 114,077 miles. An NY DMV-DFI investigator also reviewed records that show that the Voyager was registered to xxxxxxx xxxxx on [date], with an odometer reading of 62,270 miles.

31. On [date], an undercover investigator from NY DMV-DFI went to [address of place to be searched], the residence of [name of subject], to inquire about a 1995 Green Plymouth Voyager that [name of subject] had for sale. The investigator was able to observe the Vehicle Identification Number of the Voyager, which was xxxxxxxxxxxxxxxxxxxx, and its odometer, which read 64,137 miles. Records reviewed by an NY DMV-DFI investigator indicate that xxxxxxxxxxxx Quality Car of xxxxxxx, xxxxxxxxxxxx, previously owned the Voyager and that the Voyager was sold at xxxxxxxxxxxx Auto Auction in xxxxxxx, xxxxxxxxxxxx, to

[name of subject] of [name of dealership], on [date], with a mileage reading of 146,587 miles.

32. [name of subject] has been involved with the sale of used cars with rolled-back odometers since at least [date]. NY DMV-DFI investigator Blow stated that the New York Department of Motor Vehicles investigated [name of subject] and xxxxx Sales of xxxxxxxxx Avenue, xxxxxxxxxxxxxxxx, New York, a used car dealership that [name of subject] owned with his son xxxxxxxxxxxxxxxx, for odometer tampering on used cars. At an administrative hearing, xxxxx Sales was found to have committed fraud and fraudulent practices related to the misrepresentation of odometer readings for used cars sold by xxxxx Sales. The New York Department of Motor Vehicles fined xxxxx Sales and suspended its dealership license for fraudulent odometer readings.

33. NY DMV-DFI investigator Blow also stated that the New York Department of Motor Vehicles investigated AB&CD Sales for odometer tampering on used cars. At an administrative hearing, AB&CD was found to have committed fraud and fraudulent practices related to the misrepresentation of odometer readings for used cars sold by AB&CD Sales. The New York Department of Motor Vehicles fined AB&CD Sales and suspended its dealership license for fraudulent odometer readings. [name of subject] is a registered representative of AB&CD Sales as stated above.

34. Based on a review of auction, title and registration records, NY DMV-DFI investigators have confirmed that XXXXX Sales and YYYYYY Motors, which are owned by [name of subject], have sold at least 500 used cars during the past four years. These records also show that each of those 500 cars has a later record with lower mileage recorded for the car than

earlier records for that car. A later record with lower mileage is an indication that a car has had its mileage rolled back. Based on a review of auction, title and registration records, NY DMV-DFI investigators have confirmed that [name of subject]' two dealerships, XXXXX Sales and YYYYY Motors, and the dealerships of AB&CD Sales, ZZZZZ Auto Sales, AAAAAA BBBBB Auto Sales and DDDDDDDD Discount Sales have together sold at least 2,000 used cars with records that indicate that their mileage has been rolled back.

35. Cooperating Witness No. 1 ("CW-1") stated that he has purchased New Jersey reassignment forms necessary for the purchase of used cars at auto auctions from [name of subject] at his residence at [address of place to be searched]. CW-1 stated that he purchased the New Jersey reassignment forms from [name of subject] at his residence from [dates], for \$100 each. CW-1 stated that [name of subject] told CW-1 to tell any New York Department of Motor Vehicles investigators who might ask, that CW-1 bought the forms in New Jersey, not at [name of subject]' residence. [name of subject]' sale of these forms allows others to use these forms to create sales paperwork showing lower rolled-back mileage for a used car, and to give the appearance that a car is being sold by a [name of subject]' dealership and that the sale is in a state other than New York.

36. CW-1 also stated that [name of subject] at one time had a New York State inspection sticker machine at his residence at [address of place to be searched]. CW-1 stated that [name of subject] would use this machine to print out inspection stickers that CW-1 would purchase without having his car inspected.

37. CW-2 stated that in [date], he purchased from [name of subject] at [name of

subject]' residence at [address of place to be searched], state reassignment documents necessary for the purchase of used cars at an auto auction and that he has visited [name of subject]' residence on numerous other occasions for the same purpose. [name of subject]' sale of these forms allows others to use these forms to create sales paperwork showing lower rolled-back mileage for a used car, and to give the appearance that a car is being sold by a [name of subject]' dealership and that the sale is in a state other than New York. [name of subject] told CW-2 that he is the owner of XXXXXX Sales and YYYYYY Motors.

38. CW-2 stated that [name of subject] told CW-2 that when he sells a used car with a rolled back odometer, he will put "TMU" (true mileage unknown) on the New York MV-50 or New Jersey reassignment form used in the sale. "TMU" is an industry term used to indicate that the seller of the car does not know what the actual mileage of the car is at the time of sale. [name of subject] told CW-2 that he does this to avoid getting in trouble for selling a used car with a rolled back odometer.

39. xxxxxx is a company that provides information on used cars, including the mileage of the car when it is sold at an auction. It takes about a month to six weeks after the sale of a car at an auction for xxxxxx to have available to consumers the information concerning that sale. Consumers often use xxxxxx to check the mileage on a used car.

40. CW-2 stated that [name of subject] told CW-2 that he will check xxxxxx to look at the mileage history that xxxxxx has on a car to see what mileage he can roll the car's odometer back to. [name of subject] stated that he knew that xxxxxx did not provide the mileage of a car sold at an auction until four to six weeks after the sale.

41. Many of the cars involved in this investigation have been sold in Nassau and Suffolk counties.

#### IV. PROBABLE CAUSE

42. Based on the information discussed above, there is probable cause to conclude that [name of subject], XXXXX Sales and YYYYYY Motors have been and are currently engaged in an odometer tampering scheme. There is also probable cause to conclude that the dealerships of AB&CD Sales, ZZZZZ Auto Sales, AAAAAA BBBBB Auto Sales and DDDDDDDDD Discount Sales are also involved in that scheme.

43. Based on the information discussed above, there is probable cause to conclude that evidence of the illegal conduct of [name of subject], XXXXX Sales and YYYYYY Motors will be found at the SUBJECT PREMISES, [address of place to be searched].

44. Based upon my experience investigating automobile-related crime, including odometer fraud, I have concluded that the conduct of a used car business necessarily generates a large number of documents in connection with the purchase and sale of automobiles. These include but are not limited to such documents as correspondence with auto auctions, governmental agencies, and customers; purchase and sale invoices; checks and other bank records; odometer statements; titles and title applications; tax returns, financial records and statements, and repair records. Some of the information generated in connection with an automobile dealership may be stored and maintained in computer hard drives, fax machines, police books and on computer floppy disks. Persons engaged in odometer fraud may also have signature and other stamps and tools to alter documents, including but not limited to vehicle

titles. In addition, vehicles on which the odometers have been rolled back or on which the odometers may be rolled back are likely to be located at the site at which used cars are sold, and, as noted above, [name of subject] has offered for sale a vehicle with rolled back mileage at his residence at [address of place to be searched]. [name of subject] has used his residential address of [address of place to be searched], as the address for his dealership XXXXX Sales for several purposes.

45. The normal operation of a used car business requires retention of and access to these sorts of materials, if only for purposes of handling customer inquiries, preparing tax returns, and dealing with financial institutions. Moreover, federal law mandates that dealers maintain odometer statements at their principal place of business for a period of five years. See 49 C.F.R. § 580.8. In addition, XXXXX Sales and YYYYYY Motors, as automobile dealers, must by law permit inspection of these records by designated federal officials. See 49 U.S.C. § 32706. The evidence of the above-described criminal activity to be seized at [address of place to be searched], is described with particularity on Attachment 2 to this affidavit and is incorporated herein by reference.

46. The information set forth above shows that the criminal activity under investigation has involved an ongoing business that has engaged in a continuing pattern of illegal conduct. The evidence sought to be seized constitutes the business records that are necessarily prepared in the course of conducting a used car business and maintained for an extended period of time at the business premises. The evidence sought to be seized also includes vehicles on which the odometers have been rolled back or which have been purchased with high mileage on

the odometers. There is probable cause to believe that such evidence will be at the SUBJECT PREMISES, [address of place to be searched], as described on Attachment 1 which is incorporated herein by reference. In particular, there is probable cause to conclude there will be documentary and other physical evidence of mail fraud in violation of 18 U.S.C. § 1341; the interstate transportation of altered or forged title documents in violation of 18 U.S.C. § 2314; forged title documents in violation of 18 U.S.C. § 513; and odometer tampering in violation of 49 U.S.C. §§ 32703 and 32709, at the SUBJECT PREMISES, [address of place to be searched]. Indeed, the absence of records would also constitute evidence of a crime, since the failure to retain odometer statements is a violation of 49 U.S.C. §§ 32706(d)(1)(A) and 32709(b) and 49 C.F.R. § 580.8.

WHEREFORE, the deponent respectfully requests that a warrant issue authorizing agents of the United States Postal Inspection Service with proper assistance from other federal, state and local law enforcement officers to search the SUBJECT PREMISES, and therein seize the following items described above, all of which constitute contraband, evidence, fruits and instrumentalities of violations of Title 18, United States Code, Sections 513, 1341, 1343 and 2314, and Title 49, United States Code, Sections 32703(2) and 32709(6).

\_\_\_\_\_  
SAM SPADE

SWORN AND SUBSCRIBED BEFORE ME THIS

\_\_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
UNITED STATES MAGISTRATE

ATTACHMENT 1

**Description of [ADDRESS]**

[address of place to be searched], is a lot on which is located [DETAILED DESCRIPTION OF PROPERTY].

## ATTACHMENT 2

Evidence sought pursuant to search warrant at  
[address of place to be searched]

Originals and all copies of the following that were created, dated, or in effect during the period from [insert a date for oldest document to be seized for which there is probable cause to seize] to the present:

1. Any and all bills of sale, invoices, payment receipts, bank drafts, sight drafts, bank records (including but not limited to checks, deposit items, withdrawal slips, evidence of wire transfers, check books, statements, and correspondence), odometer disclosure statements, automobile titles, reassignment of title supplements, applications for titles or replacement titles, ledger books, records of purchases and sales, automobile auction company records, correspondence with automobile auction companies or used car dealers, auction invoices, freight records, documents related to export, repair records, vehicle transportation records, vehicle logs, or other documents or records referring or relating to the purchase or sale of used motor vehicles by [name of subject], XXXXX Sales Ltd., YYYYY Motors, AB&CD Sales, ZZZZZ Auto Sales, AAAAAA BBBBB Auto Sales and DDDDDDDD Discount Sales. "Records," as used in this paragraph, includes, but is not limited to, computers, computer terminals, modules, modems and connectors, floppy discs, tapes, backup tapes and discs, hard drives, printers, printouts, and hard copy user documentation pertaining to files and/or programs, separate documentary records, computerized records, or records maintained in any other form which allows information to be stored and retrieved.
2. New York Department of Motor Vehicle forms and books (MV-50) for [name of subject], XXXXX Sales Ltd., YYYYY Motors, AB&CD Sales, ZZZZZ Auto Sales, AAAAAA BBBBB Auto Sales and DDDDDDDD Discount Sales.
3. Sales registries for [name of subject], XXXXX Sales Ltd., YYYYY Motors, AB&CD Sales, ZZZZZ Auto Sales, AAAAAA BBBBB Auto Sales and DDDDDDDD Discount Sales.
4. Correspondence with any state or local vehicle licensing agency.
5. Correspondence with any state titling agency.
6. Correspondence with any person who has been involved in obtaining or delivering vehicle titles on behalf of [name of subject], XXXXX Sales Ltd., YYYYY Motors, AB&CD Sales, ZZZZZ Auto Sales, AAAAAA BBBBB Auto Sales and DDDDDDDD Discount Sales or any other automobile dealer or person.

7. All information relating to the purchase or sale of motor vehicles or transactions involving the purchase or sale or repair, modification, or alteration of motor vehicles, and the names, addresses and/or telephone numbers of any individuals or persons involved in such transactions, stored in computers or on any computer disks located in the brick two-story residential structure at [address of place to be searched].
8. Invoices for the purchase and sale of vehicles by [name of subject], XXXXX Sales Ltd., YYYYYY Motors, AB&CD Sales, ZZZZZ Auto Sales, AAAAAA BBBBB Auto Sales and DDDDDDDD Discount Sales or any other automobile dealer or person.
9. Any and all applications for vehicle dealer licenses and any correspondence related to such applications.
10. Any and all applications to conduct business at automobile auctions and any and all correspondence with automobile auctions.
11. Rubber or other stamps or signature facsimile stamps for [name of subject], XXXXX Sales Ltd., YYYYYY Motors, AB&CD Sales, ZZZZZ Auto Sales, AAAAAA BBBBB Auto Sales and DDDDDDDD Discount Sales or any other automobile dealer, and any and all scalpels, erasers, pens, chemical solutions, typewriters, inks, dyes, or other instrumentalities that might be used in the alteration or forgery of documents.
12. Any and all picks, screwdrivers, awls, hooks, or other instrumentalities that may be used in the alteration of motor vehicle odometers.
13. Any motor vehicle located at [address of place to be searched], with the exception of any vehicles registered to [name of subject], in his individual capacity.