

UNITED STATES DISTRICT COURT

for the Southern District of California

In the Matter of the Search of )
(Briefly describe the property to be searched )
or identify the person by name and address) )
2943 Reynard Avenue )
San Diego, California )

Case No.

'14 WJ 0396

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the Southern District of California
(identify the person or describe the property to be searched and give its location):
See Attachment A-2.

The person or property to be searched, described above, is believed to conceal (identify the person or describe the property to be seized):
See Attachment B-2.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property.

YOU ARE COMMANDED to execute this warrant on or before February 14, 2014 (not to exceed 10 days)

[X] in the daytime 6:00 a.m. to 10 p.m. [ ] at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to United States Magistrate Judge Hon. David H. Bartick (name)

[ ] I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box) [ ] for days (not to exceed 30). [ ] until, the facts justifying, the later specific date of

Date and time issued: 1/31/2014 5:14 PM [Signature] Judge's signature

City and state: San Diego, California Hon. David H. Bartick, U.S. Magistrate Judge Printed name and title

**Return**

Case No.:	Date and time warrant executed:	Copy of warrant and inventory left with:
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Inventory made in the presence of :

Inventory of the property taken and name of any person(s) seized:

**Certification**

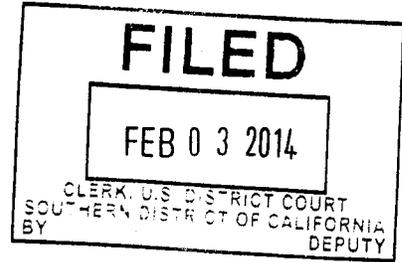
I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Executing officer's signature*

\_\_\_\_\_  
*Printed name and title*

1 LAURA E DUFFY  
United States Attorney  
2 A. DALE BLANKENSHIP  
Assistant U.S. Attorney  
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7 Attorneys for the United States

8  
9 **UNITED STATES DISTRICT COURT**

10  
11 **SOUTHERN DISTRICT OF CALIFORNIA** 14 WJ 0396

12 **IN THE MATTER OF SEARCH OF**  
13 **2943 Reynard Avenue, San Diego,**  
14 **California**

Magistrate Case No. \_\_\_\_\_

15  
16 **MOTION AND ORDER TO SEAL**

17 The United States of America, by and through its attorneys undersigned, hereby  
18 moves that this warrant, application, affidavit in support of this warrant, and this  
19 order, be sealed until further order of the court for the reason that the subject warrant,  
20 application, and affidavit, contain information which, if revealed, might jeopardize an  
21 ongoing investigation.

22  
23 DATED: January 31, 2014

Respectfully submitted,

24 LAURA E. DUFFY  
25 United States Attorney

26  
27   
28 A. DALE BLANKENSHIP  
Assistant United States Attorney

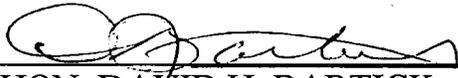
**ORDER**

1  
2 Upon application of the UNITED STATES OF AMERICA, by and through its  
3 counsel, LAURA E. DUFFY, United States Attorney, and A. Dale Blankenship,  
4 Assistant United States Attorney, and for good cause shown,  
5

6 **IT IS HEREBY ORDERED**, that the Warrant, Application, Affidavit, and this  
7 Order, are and shall be sealed until further order of this Court.  
8

9 **SO ORDERED.**

10  
11 DATED 1/31/2014  
12

13   
14 HON. DAVID H. BARTICK  
15 United States Magistrate Judge  
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SEALED

UNITED STATES DISTRICT COURT

for the Southern District of California

FILED FEB 03 2014 CLERK, U.S. DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA DEPUTY

In the Matter of the Search of ) (Briefly describe the property to be searched or identify the person by name and address) ) 2943 Reynard Avenue ) San Diego, California ) ) )

Case No.

APPLICATION FOR A SEARCH WARRANT

'14 NJ 0396

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that there is now concealed on the following person or property located in the Southern District of California (identify the person or describe property to be searched and give its location): See Attachment A-2.

The person or property to be searched, described above, is believed to conceal (identify the person or describe the property to be seized): See Attachment B-2.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- [x] evidence of a crime; [x] contraband, fruits of crime, or other items illegally possessed; [x] property designed for use, intended for use, or used in committing a crime; [ ] a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of 21 U.S.C. § 841(a)(1), and the application is based on these facts: See Attached Affidavit.

- [x] Continued on the attached sheet. [ ] Delayed notice of \_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

[Signature] Applicant's signature

Andrew Flood, Special Agent Printed name and title

Sworn to before me and signed in my presence.

Date: 1/31/2014

[Signature] Judge's signature

City and state: San Diego, California

Hon. David H. Bartick, United States Magistrate Judge Printed name and title

1  
2 **AFFIDAVIT IN SUPPORT OF SEARCH WARRANT APPLICATION**

3 I, Andrew Flood, being duly sworn under oath, declare and state:

4 **EXPIERENCE AND TRAINING**

5 1. I am an investigative or law enforcement officer of the United States,  
6 within the meaning of Section 2510(7) of Title 18, United States Code, and am  
7 empowered by law to conduct investigations of and to make arrests for offenses  
8 enumerated in Section 2516 of Title 18, United States Code.

9 2. I am a Special Agent (SA) with Homeland Security Investigations (HSI),  
10 Immigration and Customs Enforcement (ICE) and have been so employed since  
11 September of 1996. As of February 2013, I have been assigned to the Gang  
12 Investigations Group (GIG). Prior to this assignment I was assigned to "Operation  
13 Alliance," a High Intensity Drug Trafficking Area Task Force and was a member of  
14 that unit from 2007 until 2013. Prior to that assignment, I was assigned to the San  
15 Diego Violent Crimes Task Force - Gang Group from 1998 until 2007. Prior to my  
16 employment with ICE, I was a Patrol Agent with the U.S. Border Patrol and a  
17 Corrections Deputy with the San Diego County Sheriff's Department (SDSD).

18 3. I have received training in the field of narcotics enforcement. In addition  
19 to basic narcotic enforcement training at law enforcement academies, I have attended  
20 numerous drug and gang investigation training courses administered by other law  
21 enforcement agencies and related professional organizations. I have participated in all  
22 aspects of narcotic investigations from street-level distributors to large-scale  
23 trafficking organizations. I have received training and have gained experience  
24 investigating international, national, and regional criminal organizations engaged in  
25 conspiracies to manufacture and/or possess with intent to distribute controlled  
26 substances, including marijuana, methamphetamine, cocaine, heroin, and other  
27 controlled substances and precursor materials. I am also a member of the California  
28 Gang Investigators Association and the Latino Gang Investigator Association. I have

1 attended training administered by the California Narcotics Officer Association. From  
2 my training and experience, I have become familiar with the techniques and methods  
3 utilized by drug distributors.

4 4. I have interviewed and operated informants, executed search warrants,  
5 arrested and interviewed subjects, conducted physical surveillances, utilized electronic  
6 and video surveillance, seized property and assets, and testified in federal and state  
7 trial courts. During these interviews, members of drug trafficking organizations have  
8 explained their methods of operation and their schemes to use and launder drug  
9 proceeds. I have directed, as a case agent, and/or participated in a number of drug  
10 trafficking and organized crime/gang investigations. I have participated in, or have  
11 been the lead investigator in, more than ten investigations that utilized court ordered  
12 interception of wire and/or electronic communications. I have also reviewed  
13 numerous records of interviews conducted by other drug investigators. I have worked  
14 with and discussed with other HSI, SDSD, Federal Bureau of Investigation (FBI),  
15 Drug Enforcement Administration (DEA), San Diego Police Department (SDPD),  
16 Oceanside Police Department (OPD), and the California Bureau of Narcotics  
17 Enforcement agents/officers, as well as other state/local and federal agencies, who  
18 have related to me the substance of their similar experiences and the results of their  
19 own narcotics and gang investigations and interviews. I have become knowledgeable  
20 in the methods and modes of narcotics operations and the language used relating to  
21 drug trafficking. I am aware of techniques that are often used to attempt to detect  
22 and/or hinder law enforcement investigations of drug trafficking organizations  
23 including the use of multiple sources of communication devices; the use of coded  
24 communication; and use of false and/or fictitious identities. As a result of my training  
25 and experience, and interactions with other drug/gang investigators, I have become  
26 knowledgeable with the distribution and trafficking methods employed by drug  
27 traffickers to smuggle, import, safeguard, store, transport, and distribute drugs, and to  
28 collect and conceal drug-related proceeds. I have become knowledgeable in the sale

1 price of narcotic controlled substances in San Diego as well as other areas of the  
2 United States. I have testified as an expert in federal and state court in regards to drug  
3 values and “modus operandi” of drug trafficking organizations.

4 5. During the course of my participation in investigations of drug trafficking  
5 and organized crime organizations I have written reports and affidavits, and analyzed  
6 records and other relevant documents. Through my employment with HSI, I have  
7 gained knowledge in the use of various investigative techniques including the  
8 utilization of physical surveillance, undercover agents, confidential informants and  
9 cooperating witnesses, controlled purchases of narcotic controlled substances,  
10 electronic surveillance, international controlled deliveries, consensual recordings,  
11 investigative interviews, trash covers, mail covers, financial investigations, the service  
12 and use of Administrative and Grand jury Subpoenas, and the execution of search and  
13 arrest warrants.

14 6. Since this affidavit is being submitted for the limited purpose of seeking  
15 the requested warrants, I have not set forth each and every fact learned during the  
16 course of this investigation, nor have I summarized each and every factual  
17 circumstance deemed to be pertinent to the case.

18 **REQUESTED SEARCH WARRANTS**

19 7. I submit that the facts contained herein demonstrate probable cause to  
20 believe that the fruits, instrumentalities and evidence of violations of Title 21, United  
21 States Code, Sections 841(a)(1) and 846 (Conspiracy to Distribute Controlled  
22 Substances); Title 21, United States Code, Sections 841(a)(1) (Possession of  
23 Controlled Substances with intent to Distribute); Title 18, United States Code, Section  
24 922(g) (Felon in Possession of Firearm); and more fully described in  
25 ATTACHMENTS B-1 through B-8. In addition, I submit that the facts contained  
26 herein demonstrate probable cause to believe that the fruits, instrumentalities and  
27 evidence of violations of Title 18, United States Code, Section 1028A (Aggravated  
28 Identity Theft); Title 18, United States Code, Section 1029 (Access Device Fraud);

1 Title 18, United States Code, Section 1344 (Bank Fraud); Title 18, United States  
2 Code, Section 371 (Conspiracy); and; as more fully described in ATTACHMENTS B-  
3 6 and B-7, will be found at the following locations (including the structure, all  
4 attached and unattached rooms, attics, basements, garages, and parking spaces  
5 (including vehicles parked therein) assigned to or part of the location; storage areas,  
6 safes, briefcases, containers, trash areas within the location to be searched,  
7 surrounding grounds and outbuildings assigned to or part of the location) as more  
8 fully described in ATTACHMENT A-1 through A-8, identified as:

9 a. 2210 West Dunlop Street, San Diego, California [**Target Location**  
10 **#1**], the residence of Chien NGUYEN.

11 b. 2943 Reynard Avenue, San Diego, California [**Target Location**  
12 **#2**], the residence of Israel SOTO and Jessica QUEZADA.

13 c. 4452 Highland Avenue, Apartment #2, San Diego, California  
14 [**Target Location #3**], the residence of Lori RODRIGUEZ.

15 d. 3917 Ardmore Drive, San Diego, California [**Target location #4**],  
16 residence of Eric GUFFIN.

17 e. 2770 Lancha Street, San Diego, California [**Target Location #5**],  
18 a residence used by Dung NGUYEN to receive and re-distribute controlled  
19 substances.

20 f. 5223 Quince Street, San Diego, California [**Target Location #6**],  
21 the residence of Billy Minh TA.

22 g. 2621 Highland Avenue, Apartment #3, San Diego, California  
23 [**Target Location #7**], the residence of Giang DOAN aka Shorty and Rick Minh TA.

24 h. 5544 Chollas Station Road, San Diego, California [**Target**  
25 **Location #8**], the residence of Trinh Bang LE aka Tyson.

26 **FACTS ESTABLISHING PROBABLE CAUSE**

27 **A. Investigation Overview**

28

1           8.     Since March of 2013, investigators from HSI GIG, SDPD, DEA and ATF  
2 have been investigating a number of individuals with ties to the following criminal  
3 street gangs: Oriental Killer Boys; Oriental Mob Crips; Viet Boys; Tiny Oriental  
4 Crips; Logan Heights Calle Treinta; and Linda Vista Crips. Investigators learned that  
5 those individuals and their associates were involved in: conspiracies to distribute  
6 controlled substances; unlawful use of facilities to facilitate the commission of drug  
7 offenses; importation of controlled substances and conspiracy to do the same; felon in  
8 possession of firearm; possession of firearm during and in relation to drug trafficking  
9 crime; conspiracy to money launder and money laundering; operating illegal gambling  
10 business; aggravated identity theft; access device fraud; and wire fraud.

11           9.     From May of 2013 through November of 2013, law enforcement officers  
12 and agents handling the investigation sought and received court-authorization to  
13 intercept 17 different telephones being used by various targets of this investigation.  
14 For the purpose of this affidavit, I will refer to the telephones which were subject to  
15 court authorized monitoring the same way they were identified in the relevant court  
16 orders.

17           10.    During the course of the investigation, investigators identified numerous  
18 subjects who were involved with the distribution of methamphetamine and other  
19 controlled substances in the Southern District of California, the District of Guam, the  
20 Central District of California, the District of Hawaii, and the District of Minnesota.  
21 This affidavit supports the search of target locations that are located in the Southern  
22 District of California.

23           11.    In this affidavit, I have included brief summaries of portions of  
24 intercepted conversations relevant to obtaining the requested search warrants. Where  
25 participants in the conversations used veiled or coded communications, I have  
26 included an interpretation in brackets.

27           12.    Agents and officers participating in this investigation have seized more  
28 than five pounds of methamphetamine, firearms, gambling machines, and electronic

1 media (including computers, hard drives, and telephones believed to have been  
2 utilized in the commission of aggravated identity theft, access device fraud and wire  
3 fraud offenses). Agents and officers have also conducted numerous controlled  
4 purchases of controlled substances and firearms. To date, officers and agents have  
5 recovered more than 45 illegally possessed firearms including eight semi-automatic  
6 assault rifles and high-capacity magazines. Through wiretap communications and  
7 related surveillance, investigators learned that other subjects of the investigation also  
8 committed other controlled substance, firearm, and fraud related offenses.

9 13. During the course of the investigation, investigators identified several  
10 individuals involved in aggravated identity theft, wire fraud, access device fraud, and  
11 conspiracy to commit those offenses. Individuals identified as participating in those  
12 offenses include: Billy Minh Ta ("B. TA"), Rick Minh Ta ("R. TA"), Tam Minh Ta  
13 ("T. TA"), Giang Van Doan ("DOAN"), Roy Tong, John Van Trinh ("TRINH"),  
14 Sengneun Koulavongsa ("KOULAVONGSA"), Bounpheng Soryadvongsa  
15 ("SORYADVONGSA"), Dat Minh To ("TO"), Cu Van Huynh ("HUYNH"),  
16 Kamsouk Inthavong ("INTHAVONG") and Vinh Van Phan ("PHAN"). Investigators  
17 learned that these individuals obtained personal identification information of other  
18 persons (credit card numbers, identification documents, bank account information,  
19 addresses, etc.) during the course of commercial and residential burglaries, mail theft,  
20 check washing, phishing scams and vehicle burglaries. The above listed individuals  
21 then used the personal identification information to transfer funds from legitimate  
22 accounts to other accounts, such as Pay Pal/Green Dot/Starbucks.

23 14. In this affidavit, I have included only events that relate to the individuals  
24 whose residences I am requesting authority to search. The details surrounding those  
25 seizures and transactions are set forth below. After setting forth those events, I then  
26 address the connection between the target individuals and the requested search  
27 locations.

28 B. May 15, 2013 Controlled Purchase of Four Ounces of

**Methamphetamine From Chien NGUYEN**

1           15. On May 14 and 15, 2013, investigators intercepted a series of telephone  
2 calls indicating that Israel Soto (“SOTO”) distributed two pounds of  
3 methamphetamine to Chien Van NGUYEN (C. NGUYEN”). Further calls indicated  
4 that C. NGUYEN then redistributed an ounce of methamphetamine to Lori Rodriguez  
5 (“RODRIGUEZ”). On May 15, 2013, Investigators conducted a controlled purchase  
6 of four ounces of methamphetamine from C. NGUYEN.

7           a. On May 14, 2013, at approximately 3:10 p.m., C. NGUYEN  
8 received an incoming call TT1 from SOTO. SOTO stated, “The things are here  
9 already...I’m gonna go get them (2 pounds of methamphetamine).” At approximately  
10 3:10 p.m., investigators observed SOTO exit **Target Location #2** and enter a  
11 Chevrolet Tahoe. Investigators observed SOTO meet with a male in a parking lot in  
12 the 1000 block of Broadway in Chula Vista. SOTO called C. NGUYEN and said he  
13 was on his way. At approximately 4:27 p.m., investigators observed SOTO arrive at  
14 **Target Location #1**. SOTO carried a red container and walked inside **Target**  
15 **Location #1**. SOTO exited **Target Location #1** with nothing in his hand and  
16 departed.

17           b. At approximately 4:48 p.m., C. NGUYEN received an incoming  
18 call on TT1 from an undercover agent (UCA1). UCA1 asked, “Can you give me a  
19 quarter pound?” C. NGUYEN replied, “four ounces...Yeah we’re good. We can do  
20 it right now if you want.”

21           c. At approximately 5:07 p.m., C. NGUYEN received an incoming  
22 call from RODRIGUEZ. C. NGUYEN stated, “It’s (methamphetamine) here. How  
23 much do you want?” RODRIGUEZ replied, “Just one (one ounce of  
24 methamphetamine) right now so I can put it out there (re-distribute it).” At  
25 approximately 5:20 p.m., investigators observed RODRIGUEZ arrive at **Target**  
26 **Location #1** in a white Lexus bearing California license plate 4ZIB275, registered to  
27  
28

1 Lori RODRIGUEZ, 4225 Highland Ave Apt 2 San Diego, California (**Target**  
2 **Location #3**).

3 d. On May 15, 2013, at approximately 11:00 a.m., investigators  
4 observed C. NGUYEN exit **Target Location #1**. C. NGUYEN met with UCA1.  
5 UCA1 purchased 116 grams of methamphetamine from C. NGUYEN for \$3150.

6 e. At approximately 4:47 p.m., C. NGUYEN placed an outgoing call  
7 to Elias NAREZ aka Manny. C. NGUYEN stated, "My connecto (SOTO) is back in  
8 the picture...This guy fronts me major stuff." NAREZ asked, "How much did he  
9 front you?" C. NGUYEN replied, "Two P (2 pounds of methamphetamine). Five  
10 fifty for one (\$5500 per pound of methamphetamine)...I got rid of a quarter p  
11 (pound).

12 f. On May 19, 2013, at approximately 6:02 p.m., C. NGUYEN  
13 received an incoming call from RODRIGUEZ. RODRIGUEZ said she had more than  
14 half of the money for C. NGUYEN. C. NGUYEN told her to deliver the money to  
15 **Target Location #1** and he would have his nephew come out to pick up the money.  
16 RODRIGUEZ stated she had almost a whole one (ounce of methamphetamine) left.  
17 At approximately 6:11 p.m., investigators observed RODRIGUEZ arrive at **Target**  
18 **Location #1** in the white Lexus. Investigators observed C. NGUYEN's nephew exit  
19 **Target Location #1** and walk to RODRIGUEZ' vehicle. The nephew then walked  
20 back into **Target Location #1**.

21 **C. C. NGUYEN Distributes One Ounce of Methamphetamine to**  
22 **RODRIGUEZ**

23 16. On May 20, 2013, investigators intercepted several telephone calls on  
24 TT1 between C. NGUYEN and RODRIGUEZ wherein C. NGUYEN coordinated the  
25 distribution of one ounce of methamphetamine to RODRIGUEZ.

26 a. At approximately 6:36 p.m., C. NGUYEN received an incoming  
27 call on TT1 from RODRIGUEZ. RODRIGUEZ told C. NGUYEN she needed some  
28 more (methamphetamine). C. NGUYEN asked if she needed one or two (ounces of

1 methamphetamine). RODRIGUEZ replied, “probably one (one ounce of  
2 methamphetamine).” C. NGUYEN and RODRIGUEZ agreed to meet at the car wash.

3 b. At approximately 7:20 p.m., investigators observed C. NGUYEN  
4 at the Buggy Bath Car Wash, 2165 Comstock Street, San Diego, California, in a gray  
5 Cadillac. At approximately 7:24 p.m., investigators observed RODRIGUEZ arrive at  
6 the car wash in a white Lexus. Investigators observed RODRIGUEZ meet with C.  
7 NGUYEN. RODRIGUEZ then departed in the white Lexus. Investigators followed  
8 RODRIGUEZ but lost contact with the vehicle.

9 c. At approximately 7:58 p.m., investigators observed  
10 RODRIGUEZ’s white Lexus parked at **Target Location #3**.

11 **D. C. NGUYEN Distributes One Pound of Methamphetamine to**  
12 **GUFFIN**

13 17. On May 29 and May 30, 2013, investigators intercepted calls between C.  
14 NGUYEN and Eric Allan Guffin (“GUFFIN”) wherein C. NGUYEN and GUFFIN  
15 negotiated the sale of one pound of methamphetamine. On May 30, 2013,  
16 investigators observed C. NGUYEN travel to GUFFIN’s residence (**Target Location**  
17 **#4**). Investigators believe that C. NGUYEN delivered 448 grams of  
18 methamphetamine to GUFFIN.

19 a. On May 29, 2013, at approximately 9:08 p.m., C. NGUYEN  
20 received an incoming call on TT1 from GUFFIN. GUFFIN told C. NGUYEN it (a  
21 wire transfer) was confirmed for 10:00 a.m. on May 30, 2013, and a third party had  
22 the tracking number (for a wire transfer). C. NGUYEN stated he would hold the “P”  
23 (pound of methamphetamine) for GUFFIN.

24 b. On May 30, 2013, at approximately 2:29 p.m., C. NGUYEN made  
25 an outgoing call on TT1 to GUFFIN. GUFFIN said he had the money and would be  
26 home (**Target Location #4**) between 3:00 p.m. and 3:15 p.m. C. NGUYEN asked if  
27 GUFFIN had the “whole seven” (\$7000). GUFFIN affirmed. C. NGUYEN stated it  
28

1 would be “seven-five” (\$7500) for “one whole one” (pound of methamphetamine)  
2 next time.

3 c. At approximately 3:03 p.m., investigators observed GUFFIN arrive  
4 at **Target Location #4**. At approximately 3:25 p.m., C. NGUYEN arrived at **Target**  
5 **Location #4** and met with GUFFIN. C. NGUYEN removed an object from the trunk  
6 of his vehicle. GUFFIN and C. NGUYEN then entered **Target Location #4**.

7 d. At approximately 3:37 p.m., C. NGUYEN made an outgoing call  
8 on TT1 to Ha Thi Ngoc NGUYEN aka Holly (“H. NGUYEN”). C. NGUYEN asked  
9 how much she weighed the “P” (pound of methamphetamine) out to. H. NGUYEN  
10 replied, “Four forty-eight (448 grams).” C. NGUYEN told her he was weighing it  
11 now and it was only 398 (grams). H. NGUYEN said she may have miscounted it.

12 e. At approximately 3:49 p.m., investigators observed C. NGUYEN  
13 exit **Target Location #4**.

14 **E. RODRIGUEZ Distributes One Ounce of Methamphetamine**

15 18. On June 7, 2013, investigators intercepted a series of calls over TT1  
16 indicating that C. NGUYEN distributed one ounce of methamphetamine to  
17 RODRIGUEZ. Investigators believe that RODRIGUEZ then redistributed the ounce  
18 of methamphetamine to Eric Nicholson.

19 a. At approximately 11:59 a.m., C. NGUYEN placed an outgoing call  
20 on TT1 to RODRIGUEZ. RODRIGUEZ asked C. NGUYEN for one (ounce of  
21 methamphetamine) for a customer in Ocean Beach. C. NGUYEN told RODRIGUEZ  
22 to tell her customer to go to RODRIGUEZ’s house (**Target Location #3**).

23 b. At approximately 1:50 p.m., investigators observed C. NGUYEN  
24 arrive at **Target Location #3**. RODRIGUEZ walked out to C. NGUYEN’s vehicle  
25 and then RODRIGUEZ and C. NGUYEN entered **Target Location #3**.

26 c. At approximately 2:00 p.m., Nicholson arrived in a cream colored  
27 Mercedes and walked towards **Target Location #3**. At approximately 2:15 p.m.,  
28 Nicholson exited **Target Location #3** and walked south on Highland Avenue. The

1 cream colored Mercedes picked Nicholson up and investigators followed the vehicle.  
2 A San Diego Police marked unit conducted a vehicle stop of the Mercedes. A  
3 narcotics dog alerted to the passenger seat but officers were unable to locate the  
4 methamphetamine. The driver of the vehicle, Todd Emde, was driving with a  
5 suspended license so the Mercedes was impounded. Emde and Nicholson were  
6 released from the scene.

7 d. At approximately 5:13 p.m., C. NGUYEN received an incoming  
8 call from RODRIGUEZ. RODRIGUEZ asked C. NGUYEN if he remembered the  
9 “white boy” (Nicholson) who left her house (**Target Location #3**) that she gave the  
10 “shit” (methamphetamine) to. RODRIGUEZ said he (Nicholson) called and his car  
11 was impounded. RODRIGUEZ stated the “white boy” (Nicholson) was stopped by  
12 “the cops” when he left her house (**Target Location #3**) but didn’t get arrested  
13 because they (police) did not find any of his “shit” (methamphetamine).

14 **F. SOTO Distributes Two Pounds of Methamphetamine to Dung**  
15 **NGUYEN**

16 19. On June 21, 2013 investigators intercepted a series of calls over TT2  
17 indicating that SOTO picked up two pounds of methamphetamine and delivered the  
18 methamphetamine to Dung NGUYEN (“D. NGUYEN”).

19 a. At approximately 6:02 p.m, SOTO received an incoming call on  
20 TT2 from D. NGUYEN. SOTO asked, “Do you still need those two?...The two big  
21 ones or the two small ones (2 pounds of methamphetamine or two ounces of  
22 methamphetamine)?” D. NGUYEN replied, “The two big ones.”

23 b. During a series of telephone calls on TT2 beginning at  
24 approximately 6:03 p.m., SOTO talked with an unknown male nicknamed Cora  
25 (SOTO’s Source of Supply in Mexico). SOTO and Cora made arrangements for  
26 SOTO to pick up the two pounds of methamphetamine from Christian LOMELI aka  
27 Chente (“LOMELI”). During the calls, SOTO and Cora agreed upon a price of \$5500  
28 per pound of methamphetamine.

1 c. At approximately 6:22 p.m., investigators observed SOTO in a  
2 white Lincoln Navigator drive to the Walmart at 1150 Broadway, Chula Vista,  
3 California, to meet with LOMELI to pick up the two pounds of methamphetamine.  
4 Investigators intercepted several calls between SOTO and LOMELI wherein LOMELI  
5 instructed SOTO to pick up the “doughnuts” (methamphetamine) which were in a  
6 backpack on the backseat of LOMELI’s vehicle.

7 d. At approximately 6:36 p.m., investigators observed SOTO exit the  
8 Navigator and walk toward LOMELI’s silver Acura. Investigators observed SOTO  
9 walking back to the Navigator carrying a black backpack.

10 e. At approximately 7:02 p.m., investigators observed SOTO arrive at  
11 **Target Location #5**. At approximately 7:23 p.m., investigators observed a black  
12 Honda driven by D. NGUYEN arrive at **Target Location #5** and meet with SOTO.  
13 SOTO removed a black backpack from the Navigators and SOTO and D. NGUYEN  
14 entered **Target Location #5**. At approximately 7:23 p.m., SOTO exited **Target**  
15 **Location #5** and departed the area in the Navigator.

16 **G. D. NGUYEN and Dien VO Distribute One Pound of**  
17 **Methamphetamine**

18 20. On July 11, 2013, investigators intercepted a series of call on TT5  
19 between D. NGUYEN, Dien Vo (“VO”) and SOTO regarding the distribution of one  
20 pound of methamphetamine to individuals in Orange County. On July 13, 2013,  
21 investigators followed D. NGUYEN and VO when they travelled to Orange County to  
22 deliver the pound of methamphetamine.

23 a. At approximately 10:52 a.m., D. NGUYEN received an incoming  
24 call on TT5 from VO. VO asked when D. NGUYEN would be ready and D.  
25 NGUYEN asked if the customer was going to send it (methamphetamine) out of state.  
26 VO affirmed and asked if the price was still seventy-five (\$7500 for a pound of  
27 methamphetamine). In follow up calls, VO told D. NGUYEN the customer wanted to  
28 come to San Diego and get a sample before making the purchase.

1           b.     At approximately 10:59 a.m., D. NGUYEN received an incoming  
2 call from SOTO. D. NGUYEN asked if SOTO still had those two (2 pounds of  
3 methamphetamine). SOTO stated he did. D. NGUYEN asked SOTO to bring it (2  
4 pounds of methamphetamine) over (to **Target Location #5**) in case his customers  
5 didn't like the one SOTO had previously given him.

6           c.     At approximately 12:40 p.m., investigators observed SOTO arrive  
7 at **Target Location #5** in a Lincoln Navigator. Investigators observed a child in the  
8 Lincoln Navigator. D. NGUYEN exited **Target Location #5** and met with SOTO.  
9 SOTO handed D. NGUYEN a black plastic bag and D. NGUYEN returned to **Target**  
10 **Location #5** and SOTO departed the area.

11          d.     At approximately 1:05 p.m., investigators observed VO, Huy  
12 Huynh aka Silver and Dan Nguyen (customers from Orange County) arrive at **Target**  
13 **Location #5** in a Mazda minivan. VO, Huynh and Dan Nguyen entered **Target**  
14 **Location #5**. Shortly thereafter VO, Huynh, and Dan Nguyen departed **Target**  
15 **Location #5** and returned to **Target Location #5** at approximately 1:35 p.m. Shortly  
16 thereafter the Mazda with Huynh and Dan Nguyen departed **Target Location #5** and  
17 traveled north. A San Diego County Sheriff's marked unit conducted a traffic stop of  
18 the white Mazda and identified the occupants as Dan Nguyen and Huy Huynh.

19          e.     At approximately 2:24 p.m., D. NGUYEN received an incoming  
20 call from VO. VO said it was supposed to be two (2 pounds of methamphetamine)  
21 but the customer changed his mind and only wanted one. D. NGUYEN and VO  
22 agreed to deliver the pound of methamphetamine to Orange County.

23          f.     On July 13, 2013, investigators observed D. NGUYEN and VO  
24 travel to Westminster, California. Based on the intercepted calls, investigators believe  
25 that D. NGUYEN and VO traveled to Westminster in order to deliver one pound of  
26 methamphetamine to Dan Nguyen and Huynh.

27           **H.     C. NGUYEN Sells Two Firearms to Undercover Agent (UCA2)**  
28

1           21. Between on or about April 17, 2013, and January 22, 2014, investigators  
2 conducted controlled purchases of approximately 28 firearms from C. NGUYEN. C.  
3 NGUYEN is a convicted felon, having been convicted of Transportation, Sale or  
4 Import of a Controlled Substance, in violation of California Health & Safety Code  
5 Section 11379(a) and Felon with a Firearm, in violation of California Penal Code  
6 Section 12021(a)(1) on January 6, 2010. C. NGUYEN may not lawfully possess a  
7 firearm. On July 15, 2013, investigators conducted a controlled purchase of a Savage  
8 Arms 12 gauge shotgun and a Bushmaster Carbon AR-15 utilizing an undercover  
9 agent (UCA2).

10           a. Between July 12 and July 15, 2013, C. NGUYEN and an  
11 undercover agent (UCA2) contacted each other via the telephone and C. NGUYEN  
12 coordinated the sale of a firearm to UCA2 on July 15, 2013.

13           b. On July 15, 2013, at approximately 2:08 p.m., C. NGUYEN was  
14 observed exiting **Target Location #1** and entering a gray Acura MDX. Investigators  
15 followed C. NGUYEN to the library in Linda Vista where he met with UCA2. C.  
16 NGUYEN sold the Savage Arms 12 gauge shotgun to UCA2 for \$400. C. NGUYEN  
17 told UCA2 he had an AR-15 to sell but C. NGUYEN would have to give up his  
18 “baby” (a Smith and Wesson .40 caliber semi-automatic firearm) in order to obtain the  
19 AR-15. C. NGUYEN and UCA2 agreed in the sale of the AR-15 and C. NGUYEN  
20 would call UCA2 once C. NGUYEN had possession of the AR-15. C. NGUYEN  
21 departed from the library parking lot and traveled to **Target Location #1**.

22           c. At approximately 5:30 p.m., UCA2 received an incoming  
23 telephone call from C. NGUYEN. C. NGUYEN told UCA2 that he had possession of  
24 the AR-15. UCA2 and C. NGUYEN agreed to meet at the Linda Vista library.

25           d. At approximately 6:14 p.m., investigators observed C. NGUYEN  
26 exit from **Target Location #1** and enter the Acura MDX. Investigators followed C.  
27 NGUYEN to the Buggy Car Wash at 2171 Comstock Street, San Diego, California,  
28 where UCA2 met C. NGUYEN. UCA2 removed two magazines, the pistol grip and

1 one piece of the rifle from C. NGUYEN's vehicle. UCA2 assembled the rifle and  
2 verified the AR-15 was operable. UCA2 paid C. NGUYEN \$1855 for the AR-15.  
3 After the transaction, C. NGUYEN told UCA2, "I'm looking at life. If the police stop  
4 me, I'm going to shoot it out with them." UCA2 told C. NGUYEN just to run if the  
5 police encounter him. C. NGUYEN told UCA2 he was not going back to jail without  
6 a fight. Investigators thereafter obtained and maintained surveillance on C.  
7 NGUYEN.

8 **I. July 16, 2013 Investigators Seize of Approximately 3.46 ounces of**  
9 **Methamphetamine from C. NGUYEN**

10 22. On July 16, 2013, at approximately 12:15 a.m., investigators observed C.  
11 NGUYEN exit **Target Location #1** and enter an Acura MDX. San Diego Police  
12 conducted a traffic stop of C. NGUYEN's vehicle. C. NGUYEN was detained for  
13 being Under the Influence of a Controlled Substance. A search of C. NGUYEN's  
14 vehicle resulted in the seizure of approximately 3.46 ounces of methamphetamine  
15 which was concealed within the driver side door panel.

16 **J. SOTO Distributes One Pound of Methamphetamine to D. NGUYEN**

17 23. On July 22 thru July 24, 2013, investigators intercepted a series of  
18 telephone calls over TT5 indicating that SOTO distributed one pound of  
19 methamphetamine to D. NGUYEN.

20 a. On July 22, 2013, at approximately 6:38 p.m., D. NGUYEN spoke  
21 with SOTO. SOTO told D. NGUYEN he had the "pizza" (pound of  
22 methamphetamine). SOTO and D. NGUYEN agreed to meet on July 23, 2014.  
23 During the course of interceptions, SOTO often referred to pound quantities of  
24 methamphetamine as "pizzas", "doughnuts", "big ones" and "P's."

25 b. On July 23, 2014, at approximately 1:54 p.m., investigators  
26 observed D. NGUYEN arrive at **Target Location #5** in a black Toyota Highlander  
27 (California registration 6ROT487). At approximately 1:56 p.m., investigators  
28 observed SOTO arrive at **Target Location #5** in a Chevrolet Impala. SOTO and D.

1 NGUYEN met and D. NGUYEN walked to **Target Location #5** carrying a black bag.  
2 SOTO departed the area. Based on the calls and surveillance, investigators believe  
3 that SOTO distributed one pound of methamphetamine.

4 c. At approximately 5:07 p.m., D. NGUYEN received an incoming  
5 call on TT5 from SOTO. SOTO asked for a "little O" (ounce of methamphetamine).  
6 D. NGUYEN told SOTO to pick it up in the morning.

7 d. On July 24, 2013, at approximately 10:15 p.m., investigators  
8 observed D. NGUYEN arrive at **Target Location #5** in the black Toyota Highlander.  
9 At approximately 10:27 a.m., investigators observed SOTO arrive at **Target Location**  
10 **#5** in a green Ford truck. SOTO departed soon after arriving at **Target Location #5**.  
11 Based on the calls and surveillance, investigators believe D. NGUYEN distributed  
12 methamphetamine to SOTO.

13 **K. D. NGUYEN Distributes 4 Ounces of Methamphetamine to**  
14 **INSIXENGMAY**

15 24. On July 25, 2013, investigators intercepted a series of call between D.  
16 NGUYEN and Veovanh Insixengmay aka Baby ("INSIXENGMAY") wherein D.  
17 NGUYEN instructed INSIXENGMAY to pick up a quarter pound of  
18 methamphetamine from D. NGUYEN's brother Kevin at **Target Location #5**.  
19 Investigators later observed INSIXENGMAY travel **Target Location #5**.  
20 Investigators believe that INSIXENGMAY picked up a quarter pound of  
21 methamphetamine while at **Target Location #5**.

22 a. At approximately 7:16 p.m., D. NGUYEN received an incoming  
23 call on TT5 from INSIXENGMAY. INSIXENGMAY asked for a "Quiper" (quarter  
24 pound of methamphetamine). During the intercepted conversations that followed, D.  
25 NGUYEN arranged for INSIXENGMAY to pick up the quarter pound from Kevin  
26 Nguyen at **Target Location #5**.

27 b. At approximately 7:48 p.m., investigators observed a Honda  
28 Accord (California license plate 6MRE066, registered to INSIXENGMAY's mother)

1 arrive at **Target Location #5**. After approximately three minutes at **Target Location**  
2 **#5**, the Honda departed and was followed by investigators. Prior to being able to  
3 conduct a traffic stop of the Honda, investigators lost sight of the Honda and a few  
4 minutes later observed the Honda parked at GUFFIN's residence (**Target Location**  
5 **#4**).

6 **L. B. TA and R. TA Attempt To Access Bank Accounts**

7 24. On August 17, 2013, investigators intercepted calls and text messages  
8 between B. TA and R. TA. During the communications, B. TA provided R. TA with  
9 fraudulently obtained account information. The intercepted communications  
10 demonstrate that R. TA and B. TA attempted to access bank accounts of other  
11 individuals for the purpose of withdrawing funds.

12 a. On August 17, 2013 at approximately 11:18 a.m., B. TA received  
13 several text messages on TT8 from a telephone number associated with R. TA. These  
14 text messages contained account information, expiration dates, and CVV (card  
15 validation value – three numbers on the back of a credit card). Also listed in the text  
16 messages were the addresses (street number, street, city, state) associated with the  
17 account numbers. Outgoing text messages on TT8 read: "Activate one first", "look  
18 up generation federal credit union", "U found all the location snt find the one in tx  
19 (Texas)", "card gor (sic) decline looking for ne num" and "None of the number u  
20 shoot me work." Based upon these intercepted text messages, investigators believe R.  
21 TA and B. TA attempted to access legitimate accounts using illegally obtained  
22 personal identification information.

23 **M. PHAN and TO Attempt to Burglarize Business High Speed Chase**

24 25. During November of 2013, San Diego Police investigated a series of  
25 commercial burglaries involving suspects breaking the window or glass door of a  
26 closed business and targeting cash registers and business receipts. Surveillance video  
27 from the burglaries of five businesses taking place on November 12, 13, and 16, 2013,  
28 revealed that the individuals wore hooded sweatshirts, and often masks to conceal

1 their identities. The videos also captured what appeared to be the same vehicle at each  
2 burglary.

3 a. On November 23, 2013, a San Diego Police officer observed an  
4 individual he believed to be involved in a burglary in progress in the area of 10299  
5 Scripps Trail Ranch. This is the same location as the burglaries on November 13 and  
6 16, 2013. As he approached the business, a vehicle sped away at a high rate of speed  
7 and failed to yield to lights and siren. The vehicle soon crashed and the occupants  
8 were seen fleeing the wrecked car.

9 b. The San Diego Police officer identified PHAN and TO as two of  
10 the suspects he saw exiting the passenger side door of the wrecked vehicle. Duong  
11 Tran was apprehended near the scene of the crash. Inside the vehicle, officers found  
12 numerous burglary tools. Officers searched PHAN and Tran and found window  
13 punch tools on their person. When officers returned to the business, they discovered  
14 that the phone lines and coaxial cables were cut, ab

15 c. Following his arrest, PHAN signed a consent to search form for his  
16 residence at 2571 Perkon Court San Diego. PHAN stated he had a firearm in his  
17 bedroom. At approximately 10:30 a.m., investigators conducted a search at 2571  
18 Perkin Court. During a protective sweep of the residence, investigators observed a  
19 gun case with a SKS assault rifle and two loaded magazines under Brandon Phan's  
20 bed. Investigators recovered a stolen 9mm Glock pistol serial number APN312US,  
21 containing a loaded magazine under the mattress in PHAN's bedroom. An AR-15  
22 receiver with serial number 56R10696 (stolen on September 28, 2013, from a business  
23 located at 1444 Pioneer #5 El Cajon, California) was found in the dining room.  
24 Officers found two magnetic card readers and a card creator in the common areas of  
25 the house. Officers also found laptop computers and cell phones. These items were  
26 seized based on officers' suspicions that these were part of a document lab.

27 d. On October 23, 2013, at approximately 11:48 p.m., PHAN placed  
28 a telephone call from San Diego County Jail to Billy Ta ("B. TA"). This telephone

1 call was recorded. B. TA asked, "Did they (police) find anything?" PHAN replied,  
2 "They found everything...They are gonna charge me with ex-convict with fully auto  
3 (the SKS that was recovered)." B. TA replied, "That's (SKS) not fully auto." PHAN  
4 stated, "They took everything the AK, the Glock...all the computers and the phones."  
5 Investigators believe PHAN was expressing concern about the seizure of the firearms  
6 and the seizure of the computers which investigators believe contain evidence of  
7 identity theft.

8 e. TO signed a consent to search form for his residence at 5066  
9 Elkhart Street San Diego, California. Investigators seized a High Point 9mm handgun  
10 with eight rounds of ammunition in the magazine from a bin located in TO's bedroom.  
11 TO's California driver's license was located on top of the bed. Under the mattress  
12 investigators recovered two bags containing a crystalline substance later determined to  
13 be methamphetamine weighing 10.1 grams. One round of 40 caliber ammunition was  
14 found next to the nightstand in TO's bedroom.

15 **N. Distribution of Approximately 947 Grams of Methamphetamine**

16 26. On September 5 and 6, 2013, investigators intercepted a series of calls  
17 between Dung Van Nguyen ("D. NGUYEN", Javier Chavez ("CHAVEZ")) and an  
18 individual identified as "Max" (one of D. NGUYEN's methamphetamine sources of  
19 supply). During the intercepted communications, Max instructed D. NGUYEN to  
20 pick up a kilogram of methamphetamine from CHAVEZ in Riverside County.  
21 Investigators conducted surveillance and observed CHAVEZ meet with D. NGUYEN.

22 a. On September 5, 2013, at approximately 5:05 p.m., D. NGUYEN  
23 received an incoming call on TT5 from Max. D. NGUYEN stated he would meet  
24 Max's guy (CHAVEZ) at a gas station at the Pachanga Casino. Max said, "he's  
25 bringing the whole key (kilogram of methamphetamine), right?" D. NGUYEN  
26 affirmed.

27 b. At approximately 8:51 p.m., after several intercepted calls on TT5  
28 between D. NGUYEN and CHAVEZ regarding a meet location, investigators

1 observed D. NGUYEN and Judith Samaniego in a black Toyota Highlander meet with  
2 CHAVEZ in a gray Ford Focus meet at a Shell gas station on Temecula Parkway.  
3 Investigators observed D. NGUYEN exit his vehicle and enter the gray Ford Focus.  
4 The Ford Focus drove around the parking lot then returned and D. NGUYEN exited  
5 the vehicle and entered the Toyota Highlander. The Toyota Highlander and Ford  
6 Focus exited the parking lot and went in separate directions. Investigators followed  
7 the Ford Focus to CHAVEZ address in Riverside, California.

8 c. At approximately 9:11 p.m., D. NGUYEN made an outgoing call  
9 on TT5 to Max. D. NGUYEN stated, "I seen him (CHAVEZ) and I give him a five  
10 first (\$5000)."

11 d. On September 6, 2013, at approximately 2:24 p.m., D. NGUYEN  
12 placed an outgoing call on TT5 to Max. D. NGUYEN stated, "It's short by 53  
13 grams...It was 947 (grams). Based upon this conversation, investigators believe  
14 CHAVEZ distributed 947 grams of methamphetamine to D. NGUYEN.

15 **O. D. NGUYEN's Marijuana Grow at 38833 Magee Road, Pala, CA**

16 27. Investigators intercepted multiple conversations on TT5 between D.  
17 NGUYEN and others regarding a marijuana grow at 38833 Magee Road, Pala,  
18 California. According to San Diego Gas and Electric records D. NGUYEN's last  
19 electric bill for 38833 Magee Road was sent on December 2013. Based upon  
20 intercepted calls on TT5, D. NGUYEN stated that he was moving out in December.  
21 As of January 2014, a new account with SDG&E was created for another customer at  
22 the 38833 Magee Road.

23 a. On September 6, 2013, at approximately 11:52 a.m., D. NGUYEN  
24 received an incoming call on TT5 from an unknown male (UM). UM asked, "Why  
25 did you move all the way to Temecula?" D. NGUYEN replied, "To do some weeds  
26 (grow some marijuana)...I moved to Temecula, but I still come up and down (travel to  
27 San Diego)."

1           b.     On August 21, 2013, at approximately 11:40 a.m., D. NGUYEN  
2 received an incoming call on TT5 from Thanh. D. NGUYEN said he was waiting for  
3 the grass (marijuana) to come up and it was taking too long. D. NGUYEN stated he  
4 was watering the flowers. Thanh asked if it was in D. NGUYEN's whole back yard.  
5 D. NGUYEN said he was probably just going to do the greenhouse because he was  
6 afraid of his neighbors (finding out about the marijuana grow) and he has his family  
7 living there too. D. NGUYEN complained that it takes months (grow cycle for  
8 outdoor marijuana grow) because he is doing greenhouse and not indoors. If he has  
9 indoor then he would be done (growing cycle is shorter) with one. D. NGUYEN  
10 complained that indoor (marijuana grows) are too expensive. D. NGUYEN stated he  
11 is staying up in the hills.

12           P.     **Rick TA picks up Methamphetamine from Target Location #6**

13           28.    On September 30, 2013, investigators intercepted a series of calls on  
14 TT11 between R. TA and Tam Minh TA ("T. TA") indicating that R. TA picked up an  
15 eighth of an ounce of methamphetamine from T. TA. During the intercepted  
16 communications, T. TA told R. TA that the he had two ounces of methamphetamine  
17 hidden in a closet at **Target Location #6**.

18           a.     At approximately 10:49 p.m., T. TA placed an outgoing call to R.  
19 TA. R. TA warns T. TA not to go over to Maple (Maple and Highland – **Target**  
20 **Location #7**) because of the police presence. R. TA stated further that "Kelly" got  
21 pulled over in the alley. R. TA then told T. TA that he needed a ball (1/8 ounce of  
22 methamphetamine) and he has the money.

23           b.     At approximately 11:14 p.m., T. TA received an incoming call  
24 from R. TA. T. TA stated "it's" (the methamphetamine) at the mom's house (**Target**  
25 **Location #6**), not the Bevner Court. R. TA asked, "Where?" T. TA replied, "The  
26 right closet door...There is a laptop bag and there should be two O's (2 ounces of  
27 methamphetamine) in there...Look for the scale...Do you want to grab a ball (1/8  
28 ounce of methamphetamine)?" R. TA replied, "Yeah." T. TA told R. TA the price

1 was \$80 and for R. TA to leave the money at **Target Location #7**. T. TA stated,  
2 “there is a yellow one and a white one (2 different types of methamphetamine)...Just  
3 take one but don’t mix it.” Based upon this conversation investigators believe  
4 methamphetamine is stored at **Target Location #6**.

5 **Q. Rick TA Purchased a Stolen Firearm from Roy Tong**

6 29. On October 5, 2013, investigators intercepted a series of calls on TT11  
7 between Roy Tong, T. TA and R. TA regarding the purchase of a stolen Glock 17  
8 firearm obtained by Roy Tong during a burglary. T. TA is a convicted felon, having  
9 been convicted on or about May 28, 2009, of Possession of a Controlled Substance for  
10 Sale, in violation of California Health & Safety Code, Section 11378. R. TA is a  
11 convicted felon, having been convicted on or about August 29, 2008, of Vehicle Theft  
12 in violation of California Vehicle Code, Section 10851. R. TA and T. TA may not  
13 lawfully possess a firearm. Investigators believe that T. TA purchased the firearm  
14 and had R. TA store the firearm at **Target Location #6**.

15 a. On October 5, 2013, at approximately 9:17 a.m., T. TA received an  
16 incoming call on TT11 from Roy Tong. Tong asked, “You know anyone who wants  
17 to buy a strap (gun)?..A Glock 17.” T. TA asked, “How much? Who has one?”  
18 Tong replied, “I do.” T. TA asked Tong where he got it (the gun). Tong replied, “A  
19 random home invasion” of a neighbor. Tong’s residence at the time was located at  
20 3830 Boren Street San Diego, CA.

21 b. On October 5, 2013, at approximately 6:02 p.m., T. TA placed an  
22 outgoing call to Tong. T. TA told Tong he would take the gun and pay Tong the  
23 money for it. T. TA asked if Tong had shot the Glock yet.

24 c. On October 5, 2013, at approximately 10:34 p.m., T. TA placed an  
25 outgoing call on TT11 to R. TA. T. TA asked R. TA if he had \$400 on him and to  
26 grab the Glock from Roy’s (Tong’s) house. T. TA said, “Give them 400 (\$400) and  
27 grab the glock.”

1 d. On October 5, 2013, at approximately 11:55 p.m., T. TA placed an  
2 outgoing call on TT11 to R. TA. R. TA said he got it (the Glock). T. TA asked where  
3 R. TA put the gun. R. TA said the gun was at their Mom's house (**Target Location**  
4 **#6**) in Billy Ta's room in the black box.

5 e. On October 7, 2013, San Diego Police Department responded to  
6 3842 Boren Street, San Diego, to take a burglary report. According to a person  
7 associated to the residence a 9mm Glock 17 was stolen during the burglary. On  
8 November 23, 2013 investigators recovered the stolen 9mm Glock 17 during the  
9 search of PHAN's residence. PHAN is a close associate of the TA's.

10 **R. T. TA/Billy Ta Pick Up Methamphetamine from Trinh LE**

11 28. On October 8, 2013, investigators intercepted a series of telephone calls  
12 on TT11 between T. TA, Trinh Bang Le ("LE") and Billy Ta ("B. TA") during which  
13 T. TA directs B. TA to transport methamphetamine to **Target Location #6**.

14 a. At approximately 1:38 p.m., T. TA received an incoming call on  
15 TT11 from B. TA. B. TA asked, "Do you got some (methamphetamine)?" T. TA  
16 affirmed. B. TA asked, "How much, quarter (quarter ounce of methamphetamine)?"  
17 T. TA said, "If two balls (two 1/8 ounce quantities of methamphetamine) is a quarter."  
18 T. TA stated he wanted to get a half (1/2 ounce of methamphetamine) or a whole one  
19 (ounce of methamphetamine). B. TA replied, "It's too much...I only have two  
20 hundred (\$200). T. TA and B. TA agree to meet at **Target Location #6**.

21 b. At approximately 1:46 p.m., T. TA placed an outgoing call on  
22 TT11 to LE. T. TA asked, "Do you still have the seven (quarter ounce of  
23 methamphetamine)?" LE stated that he might have that amount and to give him a half  
24 an hour.

25 c. At approximately 1:50 p.m., T. TA received an incoming call from  
26 B. TA. T. TA told B. TA to "grab the sack (an unknown amount of  
27 methamphetamine) and the pink pipe." T. TA told B. TA to bring those items to  
28 "Quince" (**Target Location #6**).

1 d. At approximately 2:20 p.m., T. TA placed an outgoing call on  
2 TT11 to LE. LE told T. TA to “come by the house (**Target Location #8**).” A short  
3 time later, investigators observed B. TA’s silver Audi travel to **Target Location #8**  
4 and stop out front and then leave after a brief meeting. The silver Audi was followed  
5 to **Target Location #6**. Also parked in the street and in the driveway of **Target**  
6 **Location #6** were R. TA’s gold Honda and a white Honda utilized by T. TA. Based  
7 upon the intercepted calls and surveillance, investigators believe LE distributed 7  
8 grams of methamphetamine to B. TA and T. TA.

9 e. At approximately 11:06 p.m., T. TA placed an outgoing call to B.  
10 TA. T. TA asked, “Where did you put the strap (firearm)?” B. TA replied, “In the  
11 closet.” Based upon this conversation, investigators believe firearms along with  
12 methamphetamine are stored at **Target Location #6**.

13 **S. Seizure of 15 grams of Methamphetamine and One Firearm**

14 30. On October 8, 2013, investigators intercepted a series of call over DEA  
15 TT2 between GUFFIN and Louie Roberts (“ROBERTS”) during which ROBERTS  
16 made arrangements to meet with GUFFIN at **Target Location #4** to pick up  
17 methamphetamine. Investigators observed ROBERTS and Dien Vo (“VO”) arrive at  
18 **Target Location #4** and attempted to conduct a traffic stop on VO’s vehicle. VO  
19 failed to yield and a pursuit ensued. During the pursuit, officers observed ROBERTS,  
20 who was a passenger the vehicle, discard a bag from the window. The bag was later  
21 found to contain 15 grams of methamphetamine and a firearm. Based upon previous  
22 calls between VO and ROBERTS on TT7, investigators are aware that ROBERTS has  
23 purchased half ounce to ounce quantities of methamphetamine from GUFFIN for VO.

24 a. At approximately 2:56 p.m., GUFFIN received an incoming call  
25 from ROBERTS. ROBERTS asked if GUFFIN was home and GUFFIN affirmed.  
26 GUFFIN told ROBERTS, “I got something new (referring to a new batch of  
27 methamphetamine).” ROBERTS said he would come over.

1           b.     At approximately 5:15 p.m., investigators observed VO's red  
2 Infinity stop in the street in front of **Target Location #4**. Investigators observed  
3 ROBERTS walk out from **Target Location #4** and enter the passenger side of VO's  
4 vehicle. VO's vehicle departed from in front of **Target Location #4**.

5           c.     Investigators followed VO's vehicle. A San Diego Police marked  
6 unit attempted to conduct a traffic stop of VO's vehicle after observing it travel on the  
7 shoulder of Highway 163. VO refused to yield and officers initiated a pursuit through  
8 the Linda Vista area. During the pursuit, officers observed ROBERTS throw an  
9 object out the passenger side window. ROBERTS then bailed from the vehicle and  
10 ran. Officers took ROBERTS into custody after a short foot pursuit. VO was taken  
11 into custody shortly after ROBERTS fled. Investigators recovered the object (a bag)  
12 thrown from the vehicle. Inside the bag, investigators seized a bag containing  
13 approximately 13.97 grams of methamphetamine and a .22 caliber Ruger pistol with  
14 two magazines containing nine rounds of ammunition.

15           **T. Xaydene Xaphilom picks up methamphetamine from B. TA**

16           31.    On October 9, 2013, investigators intercepted calls between T. TA and B.  
17 TA indicating that B. TA supplied methamphetamine to Xaydene Xaphilom aka Dog  
18 at **Target Location #6**.

19           a.     At approximately 3:30 p.m., T. TA placed an outgoing telephone  
20 call on TT11 to B. TA. T. TA asked B. TA if he had "any shit" (methamphetamine).  
21 B. TA responded that he didn't have any (methamphetamine) on him. B. TA stated,  
22 "It's at home (**Target Location #6**)."  
23 B. TA stated he was heading home.

24           b.     At approximately 3:42 p.m., T. TA placed an outgoing call on  
25 TT11 to B. TA. T. TA told B. TA, "Dog (Xaphilom) is going to get some shit  
26 (methamphetamine) from you (B. TA) for me (T. TA)." T. TA asked B. TA to call  
27 him when B. TA got home (**Target Location #6**). B. TA replied he would be home  
28 in ten minutes.

1 c. At approximately 4:18 p.m., investigators established surveillance  
2 of **Target Location #6**. Investigators observed Xaphilom's white Toyota Tundra  
3 (California license plate #34225J1) departing from the area of **Target Location #6**.  
4 Investigators observed B. TA's silver Audi parked in the driveway of **Target**  
5 **Location #6**. Based on the calls and surveillance, investigators believe Xaphilom  
6 picked up an unknown amount of methamphetamine from B. TA at **Target Location**  
7 **#6**.

8 U. **Seizure of 39 Grams of Methamphetamine**

9 32. On October 17, 2013 investigators intercepted a series of calls on DEA  
10 TT2 between GUFFIN and William Phillips. Investigators established surveillance  
11 and observed Phillips and Darrin Plunkett meeting with GUFFIN at **Target Location**  
12 **#4**. A traffic stop of Phillips' vehicle resulted in the seizure of 39 grams of  
13 methamphetamine.

14 a. At approximately 2:51 p.m., GUFFIN received an incoming call on  
15 DEA TT2 from Phillips. Phillips told GUFFIN he was going to stop by (**Target**  
16 **Location #4**).

17 b. At approximately 3:15 p.m., investigators observed Phillips and  
18 Plunkett arrive at **Target Location #4** in a black Toyota truck. At approximately 4:27  
19 p.m., Plunkett and Phillips exited **Target Location #4** and entered the black Toyota  
20 truck. When Plunkett and Phillips departed the area investigators followed them.

21 c. At approximately 4:35 p.m., a San Diego Police marked unit  
22 conducted a traffic stop of the Toyota truck. A search of the vehicle resulted in the  
23 seizure of approximately 39 grams of methamphetamine.

24 V. **Controlled Purchase of Methamphetamine from DOAN**

25 33. On November 5, 2013 investigators utilized an undercover agent (UCA3)  
26 to conduct a controlled purchase of .8 grams (actual) of methamphetamine, as a  
27 sample for future purchases of methamphetamine from R. TA and Giang Van Doan  
28 ("DOAN").

1           a.     At approximately 3:30 p.m., UCA3 met with DOAN at Target  
2 **Location #7** in order to gamble on slot machines located at **Target Location #7**.  
3 While inside **Target Location #7**, UCA3 saw three gambling machines inside **Target**  
4 **Location #7** and began to play one of the machines. DOAN asked UCA3 if UCA3  
5 wanted to smoke (methamphetamine). UCA3 asked DOAN about the price for  
6 approximately a gram of methamphetamine. DOAN told UCA3 they would have to  
7 travel to the carwash. At approximately 3:58 p.m., UCA3 and DOAN exited **Target**  
8 **Location #7** and drove to the car wash located at 4345 Home Avenue, San Diego,  
9 California. At the car wash, DOAN told UCA3 he would take the \$60 of  
10 methamphetamine from his personal stash. DOAN removed a package from his pants  
11 pocket and provided UCA3 with .8 grams (actual) of methamphetamine. UCA3 then  
12 transported DOAN back to **Target Location #7**.

13           **W.   Controlled Purchase of 11.2 Grams (actual) of Methamphetamine**

14           34.    On November 8, 2013, investigators utilized a Cooperating Source (CS)  
15 and an undercover agent (UCA3) to purchase 11.2 grams (actual) of  
16 methamphetamine from R. TA and DOAN.

17           a.     At approximately 1:00 p.m. investigators utilized a CS to facilitate  
18 a controlled purchase of a quarter ounce of methamphetamine from R. TA and  
19 DOAN. CS arrived at **Target Location #7** and spoke with R. TA. CS asked for  
20 DOAN and stated she/he was looking to purchase "a seven" (quarter ounce of  
21 methamphetamine/seven grams). R. TA then called DOAN and told CS to meet  
22 DOAN at the car wash. Investigators followed CS to the car wash located at 4345  
23 Home Avenue.

24           b.     At approximately 1:15 p.m., CS arrived at the car wash and was  
25 observed meeting with DOAN. DOAN advised CS that he did not have anything. CS  
26 was about to depart the car wash when investigators observed CS meeting up with a  
27 gold Honda (California license plate #6DQW476, registered to Rick Minh TA) driven  
28 by R. TA. CS spoke with R.TA and R. TA told CS that it (methamphetamine) was

1 there. Investigators observed R. TA pick up DOAN and travel east in the parking lot  
2 to the Goodwill store.

3 c. Investigators observed R. TA and DOAN meet and R. TA handed  
4 an item to DOAN. DOAN then placed the item next to the side wall of the Goodwill  
5 store. DOAN told CS the price was \$200 for the quarter ounce of methamphetamine.  
6 UCA3 was then contacted by CS to come to the Goodwill parking lot. R. TA  
7 departed the area in the gold Honda.

8 d. UCA3 arrived at the Goodwill store parking lot. UCA3 and  
9 DOAN met and UCA3 paid DOAN \$200. DOAN walked towards the side of the  
10 Goodwill store and picked up an item. DOAN returned and provided the item, which  
11 was a wrapped up piece of paper, to UCA3. UCA3 opened the paper which contained  
12 a white crystalline-like substance, which later tested positive for methamphetamine.  
13 A DEA lab test determined that the methamphetamine was 11.2 grams (actual).

14 e. Investigators then followed DOAN to **Target Location #7**.

15 **X. Controlled Purchase of 2 Ounces of Methamphetamine from LE**

16 35. Investigators conducted controlled purchases of methamphetamine from  
17 LE on November 18, 21, and 25, 2013. These controlled purchases took place at  
18 **Target Location #8**. The amounts purchased were 7.19 grams, 13.7 grams, and 26.65  
19 grams, respectively. On December 3 and 4, 2013, investigators utilized an undercover  
20 agent (UCA5) to conduct a controlled purchase of two ounces of methamphetamine  
21 from LE.

22 a. On December 3, 2013, UCA4 contacted LE and made  
23 arrangements for a two ounce methamphetamine transaction for \$1200 between LE  
24 and UCA5. LE told UCA4 he would need half the money in advance in order to  
25 acquire the two ounces of methamphetamine (from LE's source of supply).

26 b. At approximately 12:07 p.m., UCA4 and UCA5 travelled to  
27 **Target Location #8** and made contact with LE outside of the residence. UCA5  
28 provided \$600 to LE. LE told UCA5 he had the ounce (of methamphetamine) but

1 would need to get the other one (ounce of methamphetamine). LE walked to a  
2 burgundy Toyota Tacoma and retrieved an orange box from inside the passenger side  
3 compartment. LE handed UCA5 the orange box and told UCA5 to give him an hour  
4 to get the second ounce. UCA's then departed from **Target Location #8**. The orange  
5 box contained a clear plastic bag with methamphetamine in it and weighed  
6 approximately 28.34 grams.

7 c. On December 4, 2013, UCA4 contacted LE and made  
8 arrangements to provide the second ounce methamphetamine thus completing the  
9 transaction initiated on December 3, 2013. At approximately 11:59 a.m., UCA4 and  
10 UCA5 arrived at **Target Location #8**. LE approached the UCA vehicle and handed  
11 UCA5 a Lay's Potato Chip bag with a clear plastic bag inside it containing  
12 methamphetamine. UCA5 placed \$600 in the orange box provided by LE the day  
13 prior. UCA5 handed the box containing the money to LE. The UCA's then departed  
14 from **Target Location #8**.

15 Y. **Controlled Purchase of 4 Ounces of Methamphetamine and a**  
16 **Firearm**

17 36. On January 22, 2014 investigators conducted a controlled purchase of 4  
18 ounces of methamphetamine and a Taurus .45 caliber handgun from C. NGUYEN  
19 utilizing an undercover agent (UCA2).

20 a. At approximately 10:29 a.m. investigators observed C. NGUYEN  
21 exit **Target Location #1** and enter a black Infinity (California license plate  
22 #7DLU576). C. NGUYEN departed the area in the black Infinity.

23 b. At approximately 10:45 a.m., investigators observed the black  
24 Infinity arrive at the Home Depot parking lot, 255 Marketplace Avenue, San Diego,  
25 California. Investigators observed C. NGUYEN meet with UCA2. UCA2 purchased  
26 four ounces (approximately 112.8 grams) of methamphetamine for \$2000. UCA2 also  
27 purchased a Taurus .45 caliber semi-automatic firearm from C. NGUYEN for \$900.  
28 C. NGUYEN then departed the area.

## REQUESTED SEARCH LOCATIONS

1  
2 37. **Target Location #1** is the residence of Chien NGUYEN. As discussed  
3 in sections B, H, I, and Y, investigators observed C. NGUYEN at this location prior to  
4 distributing quantities of methamphetamine and firearms. As recently as January 30,  
5 2014, C. NGUYEN and C. NGUYEN's vehicle have been observed at **Target**  
6 **Location #1**.

7 38. **Target Location #2** is the residence of Israel SOTO and Jessica  
8 QUEZADA. As discussed in section B, investigators have observed SOTO at **Target**  
9 **Location #2** prior to methamphetamine deliveries. Investigators have conducted  
10 periodic surveillance of **Target Location #2** and have observed SOTO and  
11 QUEZADA entering or exiting **Target Location #2**. On January 23, 2014, I observed  
12 SOTO and QUEZADA exit **Target Location #2** with a minor child.

13 39. **Target Location #3** is the residence of Lori RODRIGUEZ.  
14 RODRIGUEZ is a methamphetamine distributor for C. NGUYEN. As discussed in  
15 section C and E, investigators have observed RODRIGUEZ at **Target Location #3**  
16 prior, during and after drug transactions. On January 10, 2013, U.S. Marshalls  
17 executed an arrest warrant for RODRIGUEZ' husband at **Target Location #3** and  
18 discovered a semi-automatic assault rifle and a handgun in her bedroom. Investigators  
19 have conducted periodic surveillance of Target Location and as of January 29, 2014  
20 have observed RODRIGUEZ' vehicle (white Lexus) parked at **Target Location #3**.

21 40. **Target Location #4** is the residence of Eric GUFFIN. As discussed in  
22 sections D, K, S and U, investigators have observed GUFFIN at **Target Location #4**  
23 before, during and after methamphetamine transactions. Investigators have conducted  
24 periodic surveillance of **Target Location #4** and have observed GUFFIN or vehicles  
25 associated with GUFFIN at **Target Location #4**. On January 29, 2014 investigators  
26 observed GUFFIN at **Target Location #4**.

27 41. **Target Location #5** is a residence associated with D. NGUYEN. D.  
28 NGUYEN uses this location to store and distribute methamphetamine. **Target**

1 **Location #5** is D. NGUYEN's parent's residence. As discussed in sections F, G, J  
2 and K, investigators have observed D. NGUYEN at **Target Location #5** prior to,  
3 during, and after multiple distributions of methamphetamine. As recently as January  
4 30, 2014, investigators observed vehicles utilized by D. NGUYEN outside **Target**  
5 **Location #5**.

6 42. **Target Location #6** is the residence of Billy TA. As discussed in  
7 sections P, Q, R and T, investigators believe **Target Location #6** is utilized to store  
8 and distribute methamphetamine, store firearms and the instruments of aggravated  
9 identity theft, wire fraud, and access device fraud. Investigators have conducted  
10 periodic surveillance of **Target Location #6** as recent as January 29, 2014, and have  
11 observed Billy TA's vehicle and vehicles of associates of Billy TA at **Target**  
12 **Location #6**.

13 43. **Target Location #7** is the residence of Giang DOAN and utilized by  
14 Rick TA. As discussed in sections P, V and W, investigators believe **Target**  
15 **Location #7** is utilized to store and distribute methamphetamine, store firearms and  
16 the instruments of aggravated identity theft, wire fraud, and access device fraud.  
17 Investigators have conducted periodic surveillance of **Target Location #7** and  
18 observed a vehicle utilized by Rick TA parked at **Target Location #7**. On January  
19 29, 2014, investigators attempted to make contact with DOAN and Rick TA but were  
20 advised by another individual inside **Target Location #7** that DOAN and Rick TA  
21 wouldn't be home until an hour later.

22 44. **Target Location #8** is the residence of Trinh Bang LE aka Tyson. As  
23 discussed in sections R and X, investigators have conducted multiple controlled  
24 purchases of methamphetamine from LE at **Target Location #8**. Investigators have  
25 conducted periodic surveillance of **Target Location #8** and as recent as January 29,  
26 2014, and have observed LE's vehicle at **Target Location #8**.

27 //

28 //

1                    **BASIS FOR EVIDENCE SOUGHT IN SEARCH WARRANT**

2                    45. Based upon my experience and training, consultation with other law  
3 enforcement officers experienced in drug and financial investigations, and all facts  
4 and opinions set forth in this affidavit, I know that:

5                    a. Individuals involved in drug trafficking often maintain the  
6 following items in their residences: controlled substances and paraphernalia for  
7 packaging, weighing, cutting, testing, distributing and manufacturing controlled  
8 substances.

9                    b. Individuals involved in drug trafficking often maintain records of  
10 their narcotics transactions and other records of evidentiary value for months or years  
11 at a time. It is common, for example, for drug traffickers to keep pay/owe sheets or  
12 other papers of drug sold and monies owed. Such pay/owe sheets or papers are used  
13 as a basis for accounting and for settling existing debts. Such records are often  
14 maintained for a substantial period of time even after the debts are collected. I have  
15 found in my training and experience that such records are invaluable to drug  
16 traffickers and that such records are rarely discarded. Finally, it has also been my  
17 experience that such records and pay/owe sheets also frequently include the names,  
18 identities and telephone numbers of suppliers, customers and co-conspirators.

19                    c. Individuals involved in drug trafficking must often rely on others  
20 to obtain their drugs and to help them market the drugs. Frequently, traffickers  
21 maintain evidence of the identities of these co-conspirators at their residence.

22                    d. Individuals involved in drug trafficking commonly earn income in  
23 the form of cash and try to legitimize these profits. In order to do this, traffickers  
24 frequently attempt to secrete, transfer and conceal the money by means, including, but  
25 not limited to: placing assets in names other than their own to avoid detection while  
26 maintaining control; laundering the money through what appears to be legitimate  
27 business or businesses; hiding money in their homes, safes and safety deposit boxes;  
28 or using the money to buy assets which are difficult to trace. Records of these and

1 other types of transactions are often found at the residences of individuals involved in  
2 drug trafficking.

3 e. Individuals involved in drug trafficking often keep and maintain  
4 large amounts of United States currency at their residences. Such funds are often used  
5 for everyday expenditures and to maintain and finance their ongoing drug business.  
6 Additionally, individuals involved in drug trafficking often amass and maintain assets  
7 at their residence which were generated by their trafficking activities, or purchased  
8 with the cash earned from such trafficking.

9 f. Individuals involved in drug trafficking often maintain weapons,  
10 firearms and ammunition on their person or in their residence and/or vehicles. Such  
11 weapons and firearms are used, and can be used, as an instrumentality of the crime of  
12 possession and distribution of drugs and firearms. Furthermore, I am aware of  
13 instances in which traffickers have maintained such items in their residences and  
14 vehicles in order to protect themselves and guard their drugs, firearms and profits, as  
15 well as for enforcement purposes during their drug and firearms dealings.

16 g. Residences and premises used by individuals involved in drug  
17 trafficking usually contain articles of personal property evidencing the identity of  
18 person(s) occupying, possessing, residing in, owning, frequenting or controlling the  
19 residence and premises.

20 h. Drug traffickers commonly use cellphones, blackberries, PDAs,  
21 other personal handheld electronic devices, and laptop and desktop computers to  
22 communicate with, among others, their customers, their suppliers, and other criminal  
23 associates and to store phone numbers, text messages, emails, photographs, physical  
24 and email addresses, and other information that constitutes evidence of their drug  
25 trafficking activities. Drug traffickers also commonly store records of the business of  
26 distributing and selling drugs, on computers and computer discs, diskettes, cassettes,  
27 tapes, and other forms of digital media. Drug traffickers commonly maintain these  
28 items on their person and/or in their residences and vehicles.

1 i. Individuals involved in drug trafficking often utilize radio  
2 scanners, police radios and other electronic equipment in order to conduct counter  
3 surveillance upon law enforcement authorities, and usually maintain these items on  
4 their person and/or in their residences and vehicles.

5 j. Individuals involved in drug trafficking often maintain  
6 photographs, and/or audio and video recordings of their associates or real and personal  
7 property which were acquired with drug proceeds or property utilized to facilitate drug  
8 trafficking activities. Such items are typically maintained in their residences. Drug  
9 traffickers often store information relating to their drug trafficking business on their  
10 cellular telephones, PDAs, computers and/or computer disks.

11 k. As to **Target Locations #6 and #7**, based upon my experience and  
12 training, and all of the facts and opinions set forth in this affidavit, I have learned that  
13 suspects involved in identity theft, access device fraud, and bank fraud often use  
14 computers, digital media, and mobile phones in furtherance of these criminal  
15 activities, and that these instrumentalities often contain data constituting evidence of  
16 these activities.

17 l. Suspects involved in identity theft, access device fraud, and bank  
18 fraud commonly use computers to conduct many of the activities associated with these  
19 schemes, as detailed below, and their computers, when used in this manner, typically  
20 retain data showing such use. Computers are used to access online "carding" forums,  
21 where suspects buy, sell, and exchange data including debit and credit card numbers,  
22 card expiration dates, security codes, bank account numbers, and associated personal  
23 identifying information (means of identification) such as names, addresses, and  
24 telephone numbers. This data, once obtained, is commonly stored on the computer's  
25 internal memory for future use. Computers are further used to access account  
26 information via financial institution web sites, gather additional personal identifying  
27 information by open source research, and communicate with other suspects via  
28

1 electronic mail, instant message services, voice and video communication services,  
2 and social media services. Lastly, computers are used to transfer funds to and from  
3 multiple cards and accounts, using a variety of online services, as well as to make  
4 online purchases. As indicated by the foregoing, it is both possible and common for  
5 suspects to conduct entire identity theft, access device fraud, and bank fraud schemes  
6 by means of computer, thereby reducing the possibility of being visually observed and  
7 identified by law enforcement.

8           m.       In addition to their use of computers, persons involved in identity  
9 theft, access device fraud, bank fraud, and narcotics trafficking, often use digital  
10 media, including USB flash drives, in furtherance of their criminal activities. Flash  
11 drives offer suspects the ability to store an extremely large volume of data in a very  
12 compact, portable, and easily concealable device. Persons involved in identity theft,  
13 access device fraud, and bank fraud utilize flash drives to store all the same types of  
14 data that they would store on computers, i.e., debit and credit card numbers, card  
15 expiration dates, security codes, bank account numbers, and associated personal  
16 identifying information (means of identification) such as names, addresses, and  
17 telephone numbers. Flash drives facilitate the criminal activities of suspects by  
18 allowing them to access their data from more than one computer, transfer data to  
19 others, show data to others without permanently transferring it, and physically conceal  
20 media and its associated data from law enforcement.

21           n.       In addition to their use of computers and digital media, persons  
22 involved in identity theft, access device fraud, bank fraud, and narcotics trafficking,  
23 often use mobile phones in furtherance of these activities. When used in this manner,  
24 the mobile phones typically contain data constituting evidence of these activities.  
25 Many current mobile phones are sophisticated computing devices and are capable of  
26 performing many of the same functions as computers. They are commonly used in  
27 furtherance of illicit activity in the same manner as computers, as detailed above.  
28

1           o.     In addition to functioning as computers, mobile phones have a  
2 more basic function as mobile communication devices, and are an indispensable tool  
3 for persons involved in identity theft, access device fraud, and bank fraud.  
4 Specifically, during the course of other investigations, I have learned that suspects use  
5 mobile phones, in part to increase their mobility and to provide them with instant  
6 access to phone calls, text messages, emails, and voice messages; and in part, because  
7 they believe it is more difficult for law enforcement to identify the subscribers and  
8 users of mobile phones, as compared to landline telephones. It has been my  
9 experience that when individuals are detained or arrested, calls between those  
10 individuals and their co-conspirators are often present in the contact lists and the  
11 recent calls of the phones in their possession.

12           46.    It is also my opinion and belief that the above described documents are  
13 currently possessed by drug dealers and manufacturers much the same way a  
14 legitimate business will maintain records and tools of its trade whether or not the  
15 business has a particular item in inventory on a given date. These documents are kept  
16 by drug dealers whether or not the dealer is in possession of any drugs or chemicals at  
17 any given moment. I believe that the seizure of such documents will provide evidence  
18 of the events set forth in this affidavit and that such documents can be found at the  
19 target location despite any lapse of the time between the events described and the  
20 anticipated search pursuant to this warrant.

21           47.    The investigation into the criminal activities of the above individuals  
22 reveals that their drug distribution activities are ongoing. Due to the quantities of  
23 drugs being distributed and the relatively sophisticated manner in which the above  
24 individuals conduct their illegal activities, I believe they have been engaged in the  
25 illegal sale of for a long period of time. Based on my training and experience, I  
26 believe that the criminal activity described above is, by nature, self-perpetuating.  
27 Several of the participants involved in this methamphetamine distribution have been  
28 targets of law enforcement over several years. They have been arrested on drug

1 distribution investigations in the past but this has not deterred them from continuing in  
2 the business of drug trafficking and distribution. As a consequence, I believe that the  
3 items described in ATTACHMENT B-1 through B-8 will provide evidence of the  
4 events set forth in this affidavit and that such articles can be found at the Target  
5 Locations despite any lapse of the time between the events described and the  
6 anticipated search pursuant to this warrant.

7  
8 **COMPUTER SEARCH PROTOCOL**

9 48. With the approval of the Court in signing this warrant, agents executing  
10 this search warrant will employ the following procedures regarding computers and  
11 other electronic storage devices, including electronic storage media, that may contain  
12 data subject to seizure pursuant to this warrant:

13 **A. FORENSIC IMAGING**

14 49. After securing the premises, or if sufficient information is available pre-  
15 search to make the decision, the executing agents will determine the feasibility of  
16 obtaining forensic images of electronic storage devices while onsite. A forensic  
17 image is an exact physical copy of the hard drive or other media. A forensic image  
18 captures all of the data on the hard drive or other media without the data being viewed  
19 and without changing the data in any way. Absent unusual circumstances, it is  
20 essential that a forensic image be obtained prior to conducting any search of the data  
21 for information subject to seizure pursuant to this warrant. The feasibility decision  
22 will be based upon the number of devices, the nature of the devices, the volume of  
23 data to be imaged, the need for and availability of computer forensics specialists, the  
24 availability of the imaging tools required to suit the number and nature of devices  
25 found and the security of the search team. The preference is to image onsite if it can  
26 be done in a reasonable amount of time and without jeopardizing the integrity of the  
27 data and the safety of the agents. The number and type of computers and other  
28 devices and the number, type and size of hard drives are of critical importance. It can

1 take several hours to image a single hard drive - the bigger the drive, the longer it  
2 takes. As additional devices and hard drives are added, the length of time that the  
3 agents must remain onsite can become dangerous and impractical.

4 50. If it is not feasible to image the data on-site, computers and other  
5 electronic storage devices, including any necessary peripheral devices, will be  
6 transported offsite for imaging. After verified images have been obtained, the owner  
7 of the devices will be notified and the original devices returned within forty-five (45)  
8 days of seizure absent further application to this court.

9 **B. IDENTIFICATION AND EXTRACTION OF RELEVANT DATA**

10 51. After obtaining a forensic image, the data will be analyzed to identify and  
11 extract data subject to seizure pursuant to this warrant. Analysis of the data following  
12 the creation of the forensic image can be a highly technical process requiring specific  
13 expertise, equipment and software. There are literally thousands of different hardware  
14 items and software programs, and different versions of the same program, that can be

15 52. commercially purchased, installed and custom-configured on a user's  
16 computer system. Computers are easily customized by their users. Even apparently  
17 identical computers in an office or home environment can be significantly different  
18 with respect to configuration, including permissions and access rights, passwords, data  
19 storage and security. It is not unusual for a computer forensic examiner to have to  
20 obtain specialized hardware or software, and train with it, in order to view and analyze  
21 imaged data.

22 53. Analyzing the contents of a computer or other electronic storage device,  
23 even without significant technical challenges, can be very challenging. Searching by  
24 keywords, for example, often yields many thousands of hits, each of which must be  
25 reviewed in its context by the examiner to determine whether the data is within the  
26 scope of the warrant. Merely finding a relevant hit does not end the review process.  
27 The computer may have stored information about the data at issue: who created it,  
28 when and how it was created or downloaded or copied, when was it last accessed,

1 when was it last modified, when was it last printed and when it was deleted.  
2 Sometimes it is possible to recover an entire document that never was saved to the  
3 hard drive if the document was printed. Moreover, certain file formats do not lend  
4 themselves to keyword searches. Keywords search text. Many common electronic  
5 mail, database and spreadsheet applications do not store data as searchable text. The  
6 data is saved in a proprietary non-text format. Documents printed by the computer,  
7 even if the document never was saved to the hard drive, are recoverable by forensic  
8 programs but not discoverable by keyword searches because the printed document is  
9 stored by the computer as a graphic image and not as text. Similarly, faxes sent to the  
10 computer are stored as graphic images and not as text. In addition, a particular  
11 relevant piece of data does not exist in a vacuum. To determine who created,  
12 modified, copied, downloaded, transferred, communicated about, deleted or printed  
13 the data requires a search of other events that occurred on the computer in the time  
14 periods surrounding activity regarding the relevant data. Information about which  
15 user had logged in, whether users share passwords, whether the computer was  
16 connected to other computers or networks, and whether the user accessed or used  
17 other programs or services in the time period surrounding events with the relevant  
18 data can help determine who was sitting at the keyboard.

19 54. It is often difficult or impossible to determine the identity of the person  
20 using the computer when incriminating data has been created, modified, accessed,  
21 deleted, printed, copied, uploaded or downloaded solely by reviewing the  
22 incriminating data. Computers generate substantial information about data and about  
23 users which generally is not visible to users. Computer-generated data, including  
24 registry information, computer logs, user profiles and passwords, web-browsing  
25 history, cookies and application and operating system metadata, often provides  
26 evidence of who was using the computer at a relevant time. In addition, evidence  
27 such as electronic mail, chat sessions, photographs and videos, calendars and address  
28 books stored on the computer may identify the user at a particular, relevant time. The

1 manner in which the user has structured and named files, run or accessed particular  
2 applications, and created or accessed other, non-incriminating files or documents, may  
3 serve to identify a particular user. For example, if an incriminating document is found  
4 on the computer but attribution is an issue, other documents or files created around  
5 that same time may provide circumstantial evidence of the identity of the user that  
6 created the incriminating document.

7 55. Analyzing data has become increasingly time-consuming as the volume  
8 of data stored on a typical computer system and available storage devices has become  
9 mind-boggling. For example, a single megabyte of storage space is roughly  
10 equivalent of 500 double-spaced pages of text. A single gigabyte of storage space, or  
11 1,000 megabytes, is roughly equivalent of 500,000 double-spaced pages of text.  
12 Computer hard drives are now being sold for personal computers capable of storing up  
13 to 2 terabytes (2,000 gigabytes) of data. And, this data may be stored in a variety of  
14 formats or encrypted (several new commercially available operating systems provide  
15 for automatic encryption of data upon shutdown of the computer). The sheer volume  
16 of data also has extended the time that it takes to analyze data. Running keyword  
17 searches takes longer and results in more hits that must be individually examined for  
18 relevance. And, once reviewed, relevant data leads to new keywords and new  
19 avenues for identifying data subject to seizure pursuant to the warrant.

20 56. Based on the foregoing, identifying and extracting data subject to seizure  
21 pursuant to this warrant may require a range of data analysis techniques, including  
22 hashing tools to identify data subject to seizure pursuant to this warrant, and to  
23 exclude certain data from analysis, such as known operating system and application  
24 files. The identification and extraction process, accordingly, may take weeks or  
25 months. The personnel conducting the identification and extraction of data will  
26 complete the analysis within one-hundred twenty (120) days of seizure pursuant to  
27 this warrant, absent further application to this court.

28 57. All forensic analysis of the imaged data will employ search protocols

1 directed exclusively to the identification and extraction of data within the scope of this  
2 warrant.

3 **C. GENUINE RISKS OF DESTRUCTION**

4 58. Based upon my experience and training, and the experience and training  
5 of other agents with whom I have communicated, electronically stored data can be  
6 permanently deleted or modified by users possessing basic computer skills. In this  
7 case, only if the subject receives advance warning of the execution of this warrant,  
8 will there be a genuine risk of destruction of evidence.

9 **D. PRIOR ATTEMPTS TO OBTAIN DATA**

10 59. The United States has not attempted to obtain this data by other means.

11 **CONCLUSION**

12 60. Based upon my experience and training, consultation with other law  
13 enforcement officers experienced in drug and financial investigations, and all the facts  
14 and opinions set forth in this affidavit, I believe that the items set forth in Attachment  
15 B-1 through B-9 (incorporated herein by reference), which evidence violations of Title  
16 21, United States Code, Sections 841(a)(1) and 846 (Conspiracy to Distribute  
17 Controlled Substances); Title 21, United States Code, Sections 841(a)(1) (Possession  
18 of Controlled Substances with intent to Distribute); Title 18, United States Code,  
19 Section 922(g) (Felon in Possession of Firearm), as set forth above, will be found at  
20 the Target Locations more fully described in ATTACHMENT A-1 through A-8. In  
21 addition, I believe that the items set forth in ATTACHMENT B-6 and B-7  
22 (incorporated herein by reference) which evidence violations of Title 18, United States  
23 Code, Section 1028A (Aggravated Identity Theft); Title 18, United States Code,  
24 Section 1029 (Access Device Fraud); Title 18, United States Code, Section 1344  
25 (Bank Fraud); Title 18, United States Code, Section 371 (Conspiracy) will be found at  
26 the Target Locations more fully described in ATTACHMENT A-6 and A-7.

27 61. Because this is an ongoing investigation and premature disclosure of the  
28 investigation could endanger agents and officers, cause the target subjects and others

1 to flee, and cause destruction of evidence, I request that this affidavit, the application  
2 for the search warrant, the search warrant, and all other associated court records be  
3 sealed until further court order.

4  
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6   
7 Andrew Flood, Special Agent  
8 Homeland Security Investigations

9 Sworn to and subscribed before me  
10 this 3/ST day of January 2014

11   
12 United States District judge  
13 MAGISTRATE

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ATTACHMENT A-2

The residence is located at 2943 Reynard Way, San Diego, California. It is located on the east side of Reynard Way

The residence is a single two-story family residence with a reddish/brown paneling over cream colored stucco, reddish trim and a shingled roof. The front door faces the west. The numbers "2-9-4-3" are marked in gold to the left of the front door. The front door has a black security gate. A telephone pole is in front of the residence.

The search shall include all rooms, attics, crawl spaces, safes, briefcases, storage areas, containers, garages, sheds, carports, storage facilities and containers such as safes, vaults, file cabinets, drawers, luggage, briefcases, valises, boxes, jewelry boxes, cans, bags, purses, trash cans, mailboxes, and vehicles located on or near the premises, that are owned or under the control of the occupants of such premises, evidenced by prior surveillance, possession of keys, maintenance paper work, title, insurance papers, or registration for such vehicles in the name of the occupants.

## ATTACHMENT B-2

1. Paraphernalia for packaging, weighing, cutting, testing, distributing and manufacturing controlled substances.
2. Documents containing data reflecting or memorializing the ordering, possession, purchase, storage, distribution, transportation and sale of controlled substances, including buyer lists, seller lists, pay-owe sheets, records of sales, log books, drug ledgers, personal telephone/address books containing the names of purchasers and suppliers of controlled substances, electronic organizers, Rolodexes, telephone bills, telephone answering pads, bank and financial records, and storage records, such as storage locker receipts and safety deposit box rental records and key.
3. Money, assets, and evidence of assets derived from or used in the purchase of controlled substances and records thereof, including but not limited to United States currency, negotiable instruments and financial instruments including stocks and bonds, and deeds to real property, books, receipts, records, bank statements and records, business records, money drafts, money order and cashiers checks receipts, passbooks, bank checks, safes and records of safety deposit boxes and storage lockers.
4. Weapons, firearms, firearms accessories, body armor, and ammunition and documents relating to the purchase and/or possession of such items.
5. Documents and articles of personal property reflecting the identity of persons occupying, possessing, residing in, owning, frequenting or controlling the premises to be searched or property therein, including keys, rental agreements and records, property acquisition records, utility bills and receipts, photographs, answering machine tape recordings, telephone, vehicle and/or vessel records, canceled mail envelopes, correspondence, financial documents such as tax

returns, bank records, safety deposit box records, canceled checks, and other records of income and expenditure, credit card records, travel documents, personal identification documents and documents relating to obtaining false identification including birth certificates, drivers license, immigration cards and other forms of identification which the same would use other names and identities other than his or her own.

6. All incoming telephone calls received at the residence during the execution of the search warrant and all calls received on cellular telephones found during the execution of the warrant.

7. Devices used to conduct counter-surveillance against law enforcement, such as radio scanners, police radios, surveillance cameras and monitors and recording devices and cameras.

8. Photographs and video and audio recordings which document an association with other coconspirators and/or which display narcotics, firearms, or money and proceeds from narcotics transactions.

9. Police radio scanners, pagers, cellular telephones, facsimile machines, telephone answering machines, Caller ID system, and prepaid telephone cards.

10. Travel documents including itineraries, airline tickets, boarding passes, motel and hotel receipts, rental car receipts, passports and visas, credit card receipts, shipping and receiving documents relating to the delivery of packages.

11. Banking and financial institution records, bank statements, credit card statements, canceled checks, money orders, deposit slips, orders for or receipt of money transfer by wire, checking and saving books, financial institution statements, safe deposit boxes, loan statements, tax returns, business and personal ledgers, and accounting records.

12. Records relating to the lease of storage lockers, telephone/address directories and other papers containing telephone numbers and addresses.

13. Records related to the purchase of real estate, vehicles, precious metals, jewelry and other tangible assets.

14. With respect to any and all electronically stored information in cellular phones and PDAs, agents may access, record, and seize the following:

- a. telephone numbers of incoming/outgoing calls stored in the call registry;
- b. Digital, cellular, and/or telephone numbers and/or direct connect numbers, names and identities stored in the directories;
- c. Any incoming/outgoing text messages relating to violations of 21 U.S.C. §§ 841(a)(1) and 846 and 18 U.S.C. § 922(g);
- d. telephone subscriber information;
- e. the telephone numbers stored in the cellular telephone and/or PDA; and
- f. any other electronic information in the stored memory and/or accessed by the active electronic features of the digital or cellular phone including but not limited to photographs, videos, e-mail, and voice mail relating to violations of 21 U.S.C. §§ 841(a)(1) and 846 and 18 U.S.C. § 922(g).

15. Computer equipment, as set forth below.

#### Computer Equipment

Authorization is sought to search for and seize evidence of violations of 21 U.S.C. §§ 841(a)(1) and 846 and 18 U.S.C. § 922(g). Authorization to search includes any detached structures from the primary premises if such additional structures exist. This authorization includes the search of physical documents and includes electronic data to include deleted data,

remnant data and slack space. The seizure and search of computers and computer media will be conducted in accordance with the "Computer Search Protocol" provided in the affidavit submitted in support of this warrant. Items to be seized include the following:

- a. All computer systems, software, peripherals and data storage devices.
- b. All documents, including all temporary and permanent electronic files and records, relating to violations of 21 U.S.C. §§ 841(a)(1) and 846 and 18 U.S.C. § 922(g), including but not limited to records, receipts, notes, ledgers and other papers and evidence relating to the transportation, ordering, purchase and distribution of controlled substances, including real estate and property records, airline travel records, rental car receipts, ledgers, and billing records for telephones and other electronic devices, drug ledgers, faxes, printed e-mails, and identification documents, including driver's licenses, passports, other travel documents, and social security cards, receipts, bank statements, credit card records, money drafts, letters of credit, money order and cashier's checks and receipts, passbooks, bank checks, and other items evidencing the obtaining, secreting, transfer, attempt to legitimize and/or concealment of assets and the obtaining, secreting, transferring, attempting to legitimize, concealment and/or expenditure of money, including, but not limited to, receipts relating to the shipment of cash by any interstate carrier, real estate records, and records related to shell corporations and business fronts; photographs, in particular, photographs of co-conspirators, assets, controlled substances, firearms, ammunition and other weapons, and gang-related paraphernalia; contact lists, including names, addresses, e-mail addresses, telephone numbers and/or paging numbers for criminal associates and other information relevant to violations of 21 U.S.C. §§ 841(a)(1) and 846 and 18 U.S.C. § 922(g).;
- c. User-attribution data to include data reflecting who used or controlled the

computer or electronic storage device at or around the time that data reflecting criminal activity within the scope of this warrant was created, accessed, deleted, modified, copied, downloaded, uploaded or printed. User-attribution data includes registry information, computer logs, user profiles and passwords, web-browsing history, cookies, electronic mail stored on the computer or device, electronic address books, calendars, instant messaging logs, electronically-stored photographs and video, file structure and user-created documents, including metadata.