

# UNITED STATES DISTRICT COURT

for the  
District of Massachusetts

In the Matter of the Search of )  
(Briefly describe the property to be searched )  
or identify the person by name and address) )

Case No. 13-MJ-2103-MBB

J.tsarnaev@yahoo.com and )  
Tamerlan\_tsarnaev@yahoo.com, as Described in )  
Attachment A )

## 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 Northern District of California (identify the person or describe the property to be searched and give its location): J.tsarnaev@yahoo.com and Tamerlan\_tsarnaev@yahoo.com

The person or property to be searched, described above, is believed to conceal (identify the person or describe the property to be seized): evidence of violations of 18 U.S.C. Sections 2332a(a)(2)(d), 844(i), 1951, 924(c) and 371,

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 May 1, 2013 (not to exceed 14 days)

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 Marianne B. Bowler (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: April 19, 2013 @ 3:12 PM

Marianne B. Bowler USMJ  
Judge's signature

City and state: Boston, Massachusetts

Marianne B. Bowler, U. S. Magistrate Judge  
Printed name and title

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<b>Return</b>		
<i>Case No.:</i>	<i>Date and time warrant executed:</i>	<i>Copy of warrant and inventory left with:</i>
<i>Inventory made in the presence of:</i>		
<i>Inventory of the property taken and name of any person(s) seized:</i>		
<b>Certification</b>		
<i>I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.</i>		
<i>Date:</i> _____	_____ <i>Executing officer's signature</i>	
	_____ <i>Printed name and title</i>	

**ATTACHMENT A**

The premises to be searched and seized are (1) the e-mail accounts identified as **J.tsarnaev@yahoo.com** and **Tamerlan\_tsarnaev@yahoo.com**, (2) other user-generated data stored with those accounts, and (3) associated subscriber, transactional, user connection information associated with the accounts, as described further in Attachment B. This information is maintained by Yahoo, Inc., which accepts service of process at:

Yahoo!, Inc.  
701 First Avenue  
Sunnyvale, CA 94089  
Fax: 408-349-7941

**ATTACHMENT B**

**I. Search Procedure**

- A. Within fourteen days of the search warrant's issue, the warrant will be served on Yahoo, Inc. personnel, who will identify the accounts and files to be searched, as described in Section II below.
- B. Yahoo, Inc. will then create an exact electronic duplicate of these accounts and files ("the account duplicate").
- C. Yahoo, Inc. will provide the account duplicate to law enforcement personnel.
- D. Law enforcement personnel will then search the account duplicate for the records and data to be seized, which are described in Section III below.
- E. Law enforcement personnel may review the account duplicate, even if Yahoo, Inc. produces it more than 14 days after the warrant issues, subject to the following limitations. If Yahoo, Inc. provided data that was created after fourteen days from the warrant's issue ("late-created data"), law enforcement personnel may view all late-created data that was created by Yahoo, Inc., including subscriber, IP address, logging, and other transactional data, without a further order of the Court. Law enforcement personnel will seek to avoid reviewing any late-created data that was created by or received by the account-holder(s), such as e-mail, absent a follow-up warrant.

**II. Accounts and Files to Be Copied by Yahoo, Inc. Personnel**

- A. All data files associated with J.tsarnaev@yahoo.com and Tamerlan\_tsarnaev@yahoo.com, including:
  - 1. The contents of all e-mail, whether draft, deleted, sent, or received;

2. The contents of all text or instant messages;
3. The contents of all electronic data files, whether word-processing, spreadsheet, image, video, or any other content;
4. The contents of all calendar data;
5. Lists of friends, buddies, contacts, or other subscribers;
6. Records pertaining to communications between Yahoo, Inc. and any person regarding these accounts and any e-mail accounts associated with those addresses, including, without limitation, contacts with support services and records of actions taken.

B. All subscriber and transactional records for the J.tsarnaev@yahoo.com and Tamerlan\_tsarnaev@yahoo.com e-mail accounts and any associated e-mail accounts, including:

1. Subscriber information for these and any associated e-mail accounts:
  - a. Name(s) and account identifiers;
  - b. Address(es);
  - c. Records of session times and durations;
  - d. Length of service (including start date) and types of service utilized;
  - e. Telephone instrument number or other subscriber number or identity, including any temporary assigned network address;
  - f. The means and source of payment for such service (including any credit card or bank account number); and
  - g. The Internet Protocol address used by the subscriber to register the account or otherwise initiate service.

2. User connection logs for any connections to or from these and any associated e-mail accounts, including:
  - a. Connection time and date;
  - b. Disconnect time and date;
  - c. The IP address that was used when the user connected to the service;
  - d. Source and destination of any e-mail messages sent from or received by the account, and the date, time, and length of the message; and
  - e. Any address to which e-mail was or is to be forwarded from the account or e-mail address.

### **III. Records and Data to be Searched and Seized by Law Enforcement Personnel**

- A. Evidence, fruits, or instrumentalities of violations of 18 U.S.C. Sections 2332a(a)(2)(d), 844(i), 1951, 924(c) and 371, including records relating to:
  1. All communications between or among Tamerlan Tsarnaev and Dzhokhar Tsarnaev
  2. All communications pertaining to the Boston Marathon, explosives, bombs, the making of improvised explosive devices, firearms, and potential people and places against which to use firearms, explosives or other destructive devices.;
  3. The identity of the person or persons who have owned or operated the J.tsarnaev@yahoo.com and Tamerlan\_tsarnaev@yahoo.com e-mail accounts or any associated e-mail accounts;
  4. The data described in paragraphs II(A)(3)-(5), above;
  6. The existence and identity of any co-conspirators;

7. The travel or whereabouts of the person or persons who have owned or operated the J.tsarnaev@yahoo.com and Tamerlan\_tsarnaev@yahoo.com e-mail accounts or any associated e-mail accounts;
  8. The identity, location, and ownership of any computers used to access these e-mail accounts;
  9. Other e-mail or Internet accounts providing Internet access or remote data storage or e-commerce accounts;
  10. The existence or location of physical media storing electronic data, such as hard drives, CD- or DVD-ROMs, or thumb drives; and
  11. The existence or location of paper print-outs of any data from any of the above.
- B. All of the subscriber, transactional, and logging records described in Section II(B).