

24-0315

DISTRICT COURT, EL PASO COUNTY COLORADO
Court Address: 270 South Tejon Street
Colorado Springs, Colorado 80903

RECEIVED

RE: Search Warrant of
Yahoo! Inc., 701 First Avenue, Sunnyvale, CA 94089

DEC - 2 2015 COURT USE ONLY ▲

CLERK'S OFFICE

File Number:

15-2022

Agency Name: Colorado Springs Police Department

Agency Number: 15-47334

Division: Criminal Ctrm:

SEARCH WARRANT

Whereas Detective J. Schiffelbein | 3343D has made an Application and Affidavit to the Court for the issuance of a Search Warrant, and;

Whereas the application is in proper form and probable cause is found for the issuance of a Search Warrant to search the person(s) and or premises specified in the application.

THEREFORE, the applicant, and any other peace officer into whose hands this Search Warrant shall come, is hereby ordered, with the necessary and proper assistance, to enter and search within the next fourteen (14) days the person, premises, location and any appurtenances thereto, description of which is:

Yahoo! Inc., 701 First Avenue, Sunnyvale, CA 94089

The following person(s), property or thing(s) will be searched for and if found seized:

See Attachment 'B' which is hereby incorporated in reference

as probable cause has been found to believe that it:

- Is stolen or embezzled, or
- Is designed or intended for use in committing a criminal offense, or
- Is or has been used as a means of committing a criminal offense, or
- Is illegal to possess, or
- Would be material evidence in a subsequent criminal prosecution, or required, authorized or permitted by a statute of the State of Colorado, or
- Is a person, property or thing the seizure of which is expressly required, authorized or permitted by a statute of the State of Colorado, or
- Is kept, stored, transported, sold, dispensed, or possessed in violation of a statute of the State of Colorado under circumstances involving a serious threat to the public safety, or order, or to the public health, or
- That would aid in the detection of the whereabouts of or in the apprehension of a person for whom a lawful arrest order is outstanding.

Furthermore, a copy of this warrant is to be left with the person whose premises or person is searched along with a list of any and all items seized at the time of its execution. If said person cannot be located or identified, a copy of the search Warrant and the list of property seized shall be left at the place from which the property was taken.

Further, a return shall be promptly made to this Court upon the execution of this Search Warrant along with an inventory of any property taken. The property seized shall be held in some safe place until the Court shall further order.

Sworn and subscribed before me this day of Wednesday, December 02, 2015 at 8:55 AM/PM

Judge/Magistrate: _____

DISTRICT COURT, EL PASO COUNTY COLORADO Court Address: 270 South Tejon Street Colorado Springs, Colorado 80903		
RE: Search Warrant of Yahoo! Inc., 701 First Avenue, Sunnyvale, CA 94089		▲ COURT USE ONLY ▲ Case/File Number:
Agency Name: Colorado Springs Police Department	Agency Number: 15-47334	Division: Criminal Ctrm:
APPLICATION AND AFFIDAVIT FOR SEARCH WARRANT		

The undersigned, a peace officer as defined in 16-2.5-101 Colorado Revised Statutes, as amended, being first duly sworn on oath moves the Court to issue a Warrant to search those person(s) and/or premises known as:

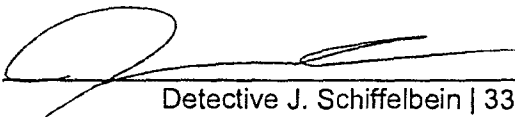
| *Yahoo! Inc., 701 First Avenue, Sunnyvale, CA 94089* |

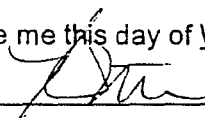
The undersigned states that there exists probable cause to believe that the following person, property or thing(s) to be searched for, and if found, seized will be found on the aforementioned person(s) and or premises and are described as follows:

See Attachment 'B' which is hereby incorporated in reference

The grounds for the seizure of said person(s), property or thing(s) are that probable cause exists to believe that it: Is stolen or embezzled, or Is designed or intended for use as a means of committing a criminal offense, or Is or has been used as a means of committing a criminal offense, or Is illegal to possess, or would be material evidence in a subsequent criminal prosecution, or Is a person, property or thing the seizure of which is expressly required, authorized, or permitted by a statute of the State of Colorado, or Is kept, stored, transported, sold, dispensed, or possessed in violation of the statute of the State of Colorado under circumstances involving a serious threat to the public safety, or order, or to the public health, That would aid in the detection of the whereabouts of or in the apprehension of a person for whom a lawful arrest order is outstand. (Mark 'X' according to the fact);

The facts submitted in support of this application are set for in the accompanying attachment designated as Attachment "A" which is attached hereto and made a part hereof.

Applicant:  3343
 Detective J. Schiffelbein | 3343D
 Law enforcement agency: Colorado Springs Police Department

Sworn and subscribed before me this day of Wednesday, December 02, 2015
 Judge/Magistrate: 

DISTRICT COURT, EL PASO COUNTY COLORADO Court Address: 270 South Tejon Street Colorado Springs, Colorado 80903		
RE: Search Warrant of Yahoo! Inc., 701 First Avenue, Sunnyvale, CA 94089		▲ COURT USE ONLY ▲ Case/File Number:
Agency Name: Colorado Springs Police Department	Agency Number: 15-47334	Division: Criminal Ctrm:
ATTACHMENT 'A'		

In support of a request for the issuance of a Search Warrant to search the location described as Yahoo! Inc., 701 First Avenue, Sunnyvale, CA 94089; your affiant, Detective J. Schiffelbein | 3343D, a Police Officer for the Colorado Springs Police Department and so employed for over 8 years and now currently assigned to the Violent Crimes-Homicide Unit, state under oath that I have personal knowledge of the following facts:

On November 27, 2015, at approximately 11:30 a.m., the Colorado Springs Police Department received a call for service regarding an active shooter at the Planned Parenthood building, 3480 Centennial Blvd. this location is within the City of Colorado Springs, County of El Paso, State of Colorado.

Upon receiving this call for service, numerous units responded from the Colorado Springs Police Department, as well as the University of Colorado at Colorado Springs Police Department and the El Paso County Sheriff's Department. The initial reports of shots fired indicated there were multiple shots fired; reportedly over 20 being fired from an automatic weapon and that at least one victim had been shot. The initial CSPD and UCCS Officers responded to the scene and immediately came under fire from the area of the Planned Parenthood building.

The initial information indicated that the suspect was described as an older white male with facial hair and was standing near a truck in the parking lot of Planned Parenthood. There was information that the suspect was reported to be shooting a long gun and then was seen walking into the Planned Parenthood building continuing to fire shots.

Information obtained from responding officers indicated there were two people shot and the responding officers continued to be fired upon as they arrived into the area.

During the active shooter response by the Colorado Springs Police Department and El Paso County Sheriff's Office, and University of Colorado at Colorado Springs Police Department, multiple officers were shot and sustained injuries. Officer [REDACTED] of the Colorado Springs Police Department was shot in the left hand. Officer [REDACTED] with the Colorado Springs Police Department Tactical Enforcement Unit was shot in the left leg. Officer [REDACTED] with the Colorado Springs Police Department Tactical Enforcement Unit sustained a gunshot wound to the left hand and left upper arm area. Officer [REDACTED] with the Colorado Springs Police Department sustained a gunshot wound to the upper left arm. Sgt. [REDACTED] with the El Paso County Sheriff's Department sustained a gunshot wound to the right lower leg.

Officer [REDACTED] with the University of Colorado at Colorado Springs Police Department was also shot and he succumbed to his injuries at the scene.

Additionally, when officers were able to enter the building, the body of [REDACTED] DOB: 02/09/86 was located deceased within the front doorway of the Planned Parenthood building. [REDACTED] DOB: 12/22/79 was located deceased in the parking lot of the Planned Parenthood building.

Autopsies were performed by the El Paso County Coroner's Office on 11/30/15 on [REDACTED] [REDACTED] and Officer [REDACTED]. At the conclusion of the autopsies the cause of death for all three individuals was determined to be gunshot wounds and the manner to be homicide.

In addition to the three homicide victims and the officers being shot, there were numerous other officers that were shot at and numerous vehicles in the area of the Planned Parenthood building that were impacted by projectiles fired from the immediate area of the Planned Parenthood building. These vehicles included both patrol vehicles, Tactical Enforcement Unit vehicles (SWAT) civilian vehicles parked in the parking lot.

Sgt. [REDACTED] with the Colorado Springs Police Department was acting as a sniper for this response and was setting up in the position to the south of the Planned Parenthood. As he was setting up his position as a sniper, to get a view into the Planned Parenthood building, he came under fire and projectiles impacted a curb line directly in front of where he was positioned.

During the course of this active shooter investigation, Tactical Enforcement Unit Officers reported that the suspect was inside of the Planned Parenthood building and had shot at propane tanks that he had outside of the building next to a vehicle.

The active shooter situation continued for several hours and Tactical Enforcement Unit Officers located numerous witnesses and civilians hiding throughout the building. As they were evacuating these individuals from the building, they heard a male voice call out that he was ready to give up and a male later identified as Robert Lewis Dear Jr. DOB: 04/16/55 surrendered to Tactical Enforcement Unit Officers.

As Robert Dear Jr. was being placed into a patrol car, he began yelling out statements about the killing of babies.

Robert Dear Jr. was interviewed by Detective Schiffelbein with the Colorado Springs Police Department and Detective S. Mackey with the El Paso County Sheriff's Dept. During this interview, Robert Dear Jr. told detectives that he had gone to the Planned Parenthood location because he was upset with Planned Parenthood for performing abortions and the selling of baby parts. Robert Dear Jr. stated he had entered the building with four SKS rifles, after shooting somebody in the parking lot and also shooting up a car in the parking lot as well.

During the course of this interview with Robert Dear Jr., he had told Detective Schiffelbein that he had driven to Colorado Springs from Woodland Park on 11/27/15 and had to stop several places to ask for directions and the address of the Planned Parenthood building. Robert Dear Jr. indicated that he eventually obtained the address for the Planned Parenthood building after making a telephone call to Planned Parenthood. He stated that after receiving this address, he looked at a map that he had in his pickup which he stated was a 2014 Toyota Tacoma and then drove to the Planned Parenthood building. Robert Dear Jr. told Detective Schiffelbein that in addition to the four SKS rifles he had inside the building, there were at least four other guns within the Toyota Tacoma; two handguns, a shotgun and a rifle.

Robert Dear Jr. also told Detective Schiffelbein that he had brought the propane tanks to the scene with the belief that when he shot them they would explode. Robert Dear Jr. advised that he had in fact shot the propane tanks during this incident hoping they would explode but they did not.

Robert Dear Jr. continued on by saying that while he was inside of the Planned Parenthood building, he saw a police officer approaching the building with a gun and because of the tint on the window; the officer could not see him. When asked, Robert Dear Jr. stated he knew this was a police officer because the officer was in uniform at the time. Robert Dear Jr. stated that he then shot the police officer through the window. Based on the information provided by Robert Dear Jr., it is believed that this is Officer [REDACTED]

Robert Dear Jr. advised that he had also shot at other officers as they arrived on scene. At the time Robert Dear Jr. was interviewed, he had an injury to his right hand and an injury to his lower abdomen which he said was from being shot by officers. He indicated that he was wearing a homemade ballistic vest during the course of the shooting that was made of silver coins and duct tape.

Over the course of this interview, Robert Dear Jr. did speak about his girlfriend identified as S [REDACTED] E [REDACTED] DOB: 04/14/71. He stated that she was in the hospital at Woodland Park, Colorado for a medical condition unrelated to this incident. Robert Dear Jr. indicated that S [REDACTED] E [REDACTED] was in possession of a laptop computer that belongs to him.

During the interview with Detective Schiffelbein, Robert Dear Jr. did provide two email addresses that he had had. The first is rldqaz@yahoo.com and rldqaz@gmail.com. Robert Dear Jr. had indicated that he had utilized this computer and sent messages and posted things online in reference to his views against abortion and the Federal Government. He did advise that he no longer used the Gmail e-mail address.

During the interview Robert Dear Jr. he indicated he had posted messages to the webpage of Paul Hill, and further advised Robert Dear Jr. was somebody he thought very highly of because of the actions he (Paul Hill) had taken against the abortion provider.

Detective Schifflbein determined that Paul Hill had been convicted of murdering an abortion provider, Dr. [REDACTED], in Florida in 1994, as well as the bodyguard for Dr. [REDACTED].

Additionally, Robert Dear Jr. stated he had committed acts against an abortion clinic previously in South Carolina. He advised he had gone to an abortion clinic and placed superglue in all the door locks of the clinic so they could not get into the building, and he had at least stopped any abortions from occurring that day at that abortion clinic.

Robert Dear Jr. also advised Detective Schifflbein that his dream was that when he died and went to heaven he would be met by all the aborted fetuses at the gates of heaven and they would thank him what for what he did because his actions saved lives of other unborn fetuses. Robert Dear Jr. also advised he was happy because his actions on November 27, 2015, ensured that no more abortions would be conducted at the Planned Parenthood facility in Colorado Springs.

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Robert Dear Jr. also told Detective Schifflbein he believes that President Barack Obama is the "antichrist" and referred to Biblical passages that he believed supported his view points. At numerous times during the interview Robert Dear Jr. recited verses from the bible.

Video surveillance footage was obtained from the Planned Parenthood building. In this video, Robert Dear Jr. is seen on the video shooting [REDACTED] and [REDACTED] with a SKS type rifle. This video also shows Officer [REDACTED] when he sustains the gunshot wound and dies. The account provided by Robert Dear Jr. matches the video footage for each of these individuals.

In addition, after the initial shooting of [REDACTED] and [REDACTED] Robert Dear Jr. is seen shooting out the glass portion of window to an employee entrance door. Robert Dear Jr. then enters the building for a short period of time, and then returns to his Toyota Tacoma in the parking lot and retrieves more items and takes them into Planned Parenthood. Robert Dear Jr. then exits the building again and goes to his Toyota Tacoma and is seen setting up propane tanks in the parking lot near another vehicle.

The vehicle of Robert Dear Jr. was located in the parking lot of Planned Parenthood, and is a 2014 Toyota Tacoma pickup, license plate 554-QFK, VIN: [REDACTED] and the registration returns to Robert Lewis Dear Jr. This vehicle is currently at the Colorado Springs Police Department Police Operations Center, 705 S Nevada Ave. An open map is clearly visibly on the front seat of this Toyota Tacoma pickup.

W█████ F█████, DOB: 02/17/1983, was interviewed by Detective J. Somosky with the Colorado Springs Police Department Homicide Unit. W█████ F█████ advised he had gone to Planned Parenthood with his girlfriend, S█████ W█████ and her friend, ██████ W█████. W█████ F█████ advised S█████ W█████ was pregnant and they were going to the Planned Parenthood Facility to terminate the pregnancy of S█████ W█████. He advised that ██████ went with he and S█████ W█████ to provide support for S█████ W█████. According to W█████ F█████, when they arrived at Planned Parenthood they parked in the parking lot, and as they were getting out of the vehicle, a male on the passenger side of the vehicle made a statement saying they shouldn't have come here today. W█████ F█████ advised this male then began shooting and he was shot multiple times, as were ██████ and S█████ W█████.

Detective Schiffelbein was able to briefly interview S█████ W█████ but a full interview has not been able to be completed because of her medical condition. S█████ W█████ advised she had gone to Planned Parenthood on November 27, 2015, and when she arrived, she was approached by a male in the parking lot who told her she should not have come to Planned Parenthood and this male then shot her multiple times.

█████ had gone to Planned Parenthood on November 27, 2015, with his girlfriend ██████. ██████ had received services at Planned Parenthood, and ultrasound, and ██████ went outside to use his phone after his payment by credit card was rejected, so he could contact his bank. ██████ was outside when he was shot by Robert Dear Jr. At the time the shooting began, ██████ was still inside the Planned Parenthood Facility.


Agent Joseph Cahill with the Colorado Bureau of Investigation conducted an interview with S█████ B█████, who is the girlfriend of Robert Dear Jr. She advised that she and Robert Dear Jr. had been together since June 2009. She advised that Robert Dear Jr. had anti-abortion views and had talked about Paul Hill. S█████ B█████ advised Robert Dear Jr. talked about Paul Hill after driving past an abortion clinic in North Carolina, as well as when he learned that Colorado Springs had an abortion clinic. S█████ B█████ provided Agent Cahill with a Samsung Chromebook laptop computer, serial number ██████ and advised this was the computer that Robert Dear Jr. would often use.

This Samsung Chromebook laptop computer was placed into evidence with the Colorado Springs Police Department, 705 S Nevada Ave., Colorado Springs, Colorado, under evidence barcode #200886509.

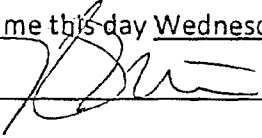
Based upon training and experience, Detective Schiffelbein is aware that people can use e-mail to communicate with people throughout the course of their daily lives. Based on the statements of Robert Dear Jr., he had used e-mail and computer to communicate with others, including stuff to the website of Paul Hill. Detective Schiffelbein believes that obtaining the information for the email accounts rdqaz@yahoo.com and rdqaz@gmail.com, as well as from the Samsung Chromebook computer, would be of material evidence in this incident, and could provide information regarding the planning of this shooting, communication with and the viewing of anti-abortion websites and persons, as well as providing other information regarding the state of mind of Robert Dear Jr. at the time of this incident, and previous problems he has had with abortion facilities.

Your affiant has personal knowledge that Yahoo! Inc. will accept service of search warrants issued from other states and will comply with orders of the Court to provide records as requested pursuant to provision of the United States Electronics Communications Privacy Act, 18 U.S.C. 2703.

Your affiant would respectfully request that pursuant to the Stored Communications Act, Title 18 USC 2703 (c), specific and articulable facts have been shown to reasonably believe the target rdgaz@yahoo.com, Yahoo! Inc., service provider for which records are being sought is of relevant interest in the offense shown. Thus your affiant would request that a search warrant be issued for Yahoo! Inc., 701 First Avenue, Sunnyvale, CA 94089, to produce records as listed for target rdgaz@yahoo.com as specifically detailed in Attachment 'B'.

Applicant:  3343
Detective J. Schiffelbein | 3343D
Law enforcement agency: Colorado Springs Police Department

Sworn and subscribed before me this day Wednesday, December 02, 2015

Judge/Magistrate: 

DISTRICT COURT, EL PASO COUNTY COLORADO Court Address: 270 South Tejon Street Colorado Springs, Colorado 80903		
RE: Search Warrant of Yahoo! Inc., 701 First Avenue, Sunnyvale, CA 94089		▲ COURT USE ONLY ▲ Case/File Number:
Agency Name: Colorado Springs Police Department	Agency Number: 15-47334	Division: Criminal Ctrm:
ATTACHMENT 'B'		

The following person(s), property or thing(s) will be searched for and if found seized:

EMAIL RECORDS

Target identifier: rldgaz@yahoo.com

For the period beginning and inclusive of Account Activation through and to include 11/27/2015;

The records to be searched for / produced are:

- Any and all e-mail messages / e-mail communications / electronic documents / electronic communications stored in the account, including received messages / sent messages / draft messages / deleted messages and all other types of messages or communications
- Any and all files stores in the account
- Accountholder information, including but not limited to name / date of birth / social security number / address / city / state / telephone number / account creation date / account access dates, and any and all other accountholder information maintained by Yahoo! Inc. and related to this account
- Internet Protocol (IP) access logs
- Any available location information associated with this account

Pursuant to 18 U.S.C. § 2705(b) this Court Orders that Yahoo! Inc.

MAY----- MAY NOT - notify the target user account(s) identified above. /// **Judge:**

NO OTHER ITEMS ARE SOUGHT FOR SEIZURE

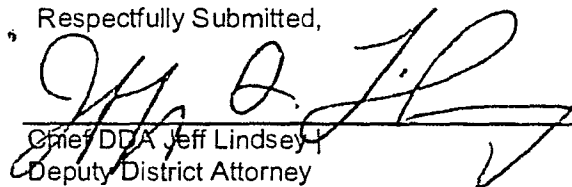
DISTRICT COURT, EL PASO COUNTY, STATE OF COLORADO Address: 270 South Tejon Street PO Box 2980 Colorado Springs, Colorado 80903	RECEIVED DEC - 2 2015
State of Colorado in the matter of: Search Warrant	
Agency: Colorado Springs Police Department Agency Case Number: 15-47334	Division: Courtroom:
REQUEST FOR SEALING OF SEARCH WARRANT	

COMES NOW, the People of the State of Colorado, by and through Dan May | 11379, District Attorney for the Colorado 4th Judicial District, and his Deputy District Attorney, Chief DDA Jeff Lindsey | , respectfully request this Court enter an Order, sealing the Search Warrant and Application, to include the Affidavit, Attachment "A" and any other Attachments as so incorporated by reference, as grounds, therefore states the following:

1. The Offense Case Report, 15-47334 supporting this Search Warrant was initiated by the Colorado Springs Police Department, El Paso County, Colorado, is an ongoing investigation.
2. If the information supporting this Search Warrant were to be released, it could jeopardize the continuing investigation, apprehension of suspect(s), and subsequent prosecution of same.
3. We are requesting the sealing of this document indefinitely, or until the completion or termination of the investigation.

WHEREFORE, the People of the State of Colorado respectfully request the Court enter an ORDER, sealing the Search Warrant and Application for Search Warrant, to include the Affidavit, Attachment "A" and any other Attachments as so incorporated by reference, as grounds, therefore states the following:

Respectfully Submitted,


 Chief DDA Jeff Lindsey
 Deputy District Attorney
 Colorado 4th Judicial District

24-0325

DISTRICT COURT, EL PASO COUNTY, STATE OF COLORADO Address: 270 South Tejon Street PO Box 2980 Colorado Springs, Colorado 80903		▲ COURT USE ONLY ▲ Case/File Number: <i>15-2022</i> Division: Courtroom:
State of Colorado in the matter of: Search Warrant		
Agency: Colorado Springs Police Department Agency Case Number: 15-47334		
ORDER TO SEAL SEARCH WARRANT		

THE COURT, having reviewed the the documents submitted in support of this Search Warrant, hereby enters an ORDER that the Search Warrant and Application for Search Warrant, to include the Affidavit, Attachment "A" and any other Attachments incorporated by reference, be sealed until the termination of the case, or until further order by the Court.

DONE THIS DAY 2ND of Dec, 2015 at the hour of 8:55 AM / PM



 Judge / Magistrate / Judicial Officer
 Colorado 4th Judicial District / El Paso County Court

Printed Name: Regina Walter

DISTRICT COURT, EL PASO COUNTY, STATE OF COLORADO Address: 270 South Tejon Street PO Box 2980 Colorado Springs, Colorado 80903		
State of Colorado in the matter of: Search Warrant Yahoo! Inc., 701 First Avenue, Sunnyvale, CA 94089		▲ COURT USE ONLY ▲ Case/File Number: 15-2022
Agency: Colorado Springs Police Department	Offense No. 15-47334	Division: Courtroom:
REPORT OF EXECUTION OF SEARCH WARRANT		

On 12/02/2015, a Search Warrant was issued by the County Court for El Paso County and State of Colorado, directing that a search may be made of the following described premise, location, or person:

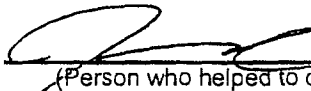
Yahoo! Inc., 701 First Avenue, Sunnyvale, CA 94089

And on 12/02/2015, the undersigned, as one of the persons authorized to conduct such a search and seizure, conducted such search, and reports the following was found and seized:

Quantity	Description	Evidence No.
1	Yahoo! Records for rldqaz@yahoo.com	200895990

The undersigned does further inform the Court that if property was seized, that the person from whose premises the items were taken was furnished with a copy of the search warrant, as well as a copy of this inventory of the goods seized.

DONE this day, Friday January 22, 2016 11:28 AM MST


3313

 (Person who helped to conduct the search and seizure)
 Detective J. Schiffelbein, 3343D
 Colorado Springs Police Department