

AO 93C (08/18) Warrant by Telephone or Other Reliable Electronic Means

Original

Duplicate Original

UNITED STATES DISTRICT COURT

for the
Middle District of Florida

In the Matter of the Search of
*(Briefly describe the property to be searched
or identify the person by name and address)*
5914 North Tampa Street, Tampa, FL 33604

)
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)
)
)
)

Case No.

8:23MJ1541SPF

WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search and seizure of the following person or property located in the Middle District of Florida
(identify the person or describe the property to be searched and give its location):

See Attachment A.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal *(identify the person or describe the property to be seized):*

See Attachment B.

YOU ARE COMMANDED to execute this warrant on or before 5/18/2023 *(not to exceed 14 days)*
 in the daytime 6:00 a.m. to 10:00 p.m. at any time in the day or night because good 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 The Honorable Sean P. Flynn
(United States Magistrate Judge)

Pursuant to 18 U.S.C. § 3103a(b), 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: 5/4/2023 at 2:43pm


Judge's signature

City and state: Tampa, FL

Sean P. Flynn, U.S. Magistrate Judge
Printed name and title

EXHIBIT "A"

AO 93C (08/18) Warrant by Telephone or Other Reliable Electronic Means (Page 2)

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

	<i>Printed name and title</i>	

ATTACHMENT A

Description of Premises to Be Searched

The Target Location is known as 5914 North Tampa Street, Tampa, FL 33604 and is identified as follows:

The Target Location is a one-story single-family home that is pink in color with a brown shingle roof and stucco exterior. The front of the Target Location faces east toward North Tampa Street and has several white and pink columns which support the covered porch and carport, located to the north side of the Target Location. A mailbox at the end of the driveway bears the number "5914". An unattached secondary suite exists on the property to the rear, or west, of the Target Location, facing east. This secondary suite is also colored pink, with siding, a white roof, and a teal front door.

The Target Location includes any vehicles, trailers, sheds, and other buildings on the curtilage of the property. The Target Location is located within the City of Tampa, which is in the Middle District of Florida.

ATTACHMENT B
Particular Things to be Seized

All records and other evidence relating to violations of 18 U.S.C. § 1030 (intentional unauthorized access of a computer), and 18 U.S.C. § 2511 (intentional interception and disclosure of wire, oral, or electronic communication) (collectively, the “Criminal Conduct”), those violations involving Timothy Burke and occurring after August 1, 2022, including:

1. Any books, records, or ledgers associated with items or services sold to or received from companies, or individuals associated with said companies, involved in posting or hosting electronic streaming content.
2. Hard copy and/or electronic records of contacts and exchanges (including drafts and final versions, and any related subparts) with companies, or individuals associated with said companies, involved in posting or hosting electronic streaming content.
3. Evidence reflecting payment in any form, including cash, checks, wire transfers, online payment service, ACH transfer, and/or cryptocurrency (to include hardware wallet(s) and pass phrase(s)) from companies, or individuals associated with said companies, involved in posting or hosting electronic streaming content.
4. Computers, storage media, cell phones, smart phones (including the smart phones associated with telephone number 352-222-2706), used as a means to

commit the Criminal Conduct described above, including downloading confidential materials without authorization in violation of 18 U.S.C. § 1030(a)(2).

5. For any computer or storage medium whose seizure is otherwise authorized by this warrant, and any computer or storage medium that contains or in which is stored records or information that is otherwise called for by this warrant (hereinafter, "COMPUTER"):
 - a. evidence of who used, owned, or controlled the COMPUTER at the time the things described in this warrant were created, edited, or deleted, such as logs, registry entries, configuration files, saved usernames and passwords, documents, browsing history, user profiles, email, email contacts, "chat," instant messaging logs, photographs, and correspondence;
 - b. evidence of software that would allow others to control the COMPUTER, such as viruses, Trojan horses, and other forms of malicious software, as well as evidence of the presence or absence of security software designed to detect malicious software;
 - c. evidence of the lack of such malicious software;
 - d. evidence indicating how and when the computer was accessed or used to determine the chronological context of computer access, use, and events relating to crime under investigation and to the computer user;

- e. evidence indicating the computer user's state of mind as it relates to the crime under investigation;
- f. evidence of the attachment to the COMPUTER of other storage devices or similar containers for electronic evidence;
- g. evidence of counter-forensic programs (and associated data) that are designed to eliminate data from the COMPUTER;
- h. evidence of the times the COMPUTER was used;
- i. passwords, encryption keys, and other access devices that may be necessary to access the COMPUTER;
- j. documentation and manuals that may be necessary to access the COMPUTER or to conduct a forensic examination of the COMPUTER;
- k. records of or information about Internet Protocol addresses used by the COMPUTER;
- l. records of or information about the COMPUTER's Internet activity, including firewall logs, caches, browser history and cookies, "bookmarked" or "favorite" web pages, search terms that the user entered into any Internet search engine, and records of user-typed web addresses;
- m. contextual information necessary to understand the evidence described in this attachment.

6. Routers, modems, and network equipment used to connect computers to the Internet.

As used above, the terms "records" and "information" includes all forms of creation or storage, including any form of computer or electronic storage (such as hard disks or other media that can store data); any handmade form (such as writing); any mechanical form (such as printing or typing); and any photographic form (such as microfilm, microfiche, prints, slides, negatives, videotapes, motion pictures, or photocopies).

The term "computer" includes all types of electronic, magnetic, optical, electrochemical, or other high speed data processing devices performing logical, arithmetic, or storage functions, including desktop computers, notebook computers, mobile phones, tablets, server computers, and network hardware.

The term "storage medium" includes any physical object upon which computer data can be recorded. Examples include hard disks, RAM, floppy disks, flash memory, CD-ROMs, and other magnetic or optical media.

During the execution of the search of the Subject Premises described in Attachment A, law enforcement personnel are authorized to: (1) press or swipe the fingers (including thumbs) of any individual, who is found at the subject premises and reasonably believed by law enforcement to be a user of a device found at the premises, to the fingerprint scanner of the device; or (2) hold a device found at the premises in front of the face those same individuals and activate the facial

recognition feature, for the purpose of attempting to unlock the device in order to search the contents as authorized by this warrant.

This warrant authorizes a review of electronic storage media and electronically stored information seized or copied pursuant to this warrant in order to locate evidence, fruits, and instrumentalities described in this warrant. The review of this electronic data may be conducted by any government personnel assisting in the investigation, who may include, in addition to law enforcement officers and agents, attorneys for the government, attorney support staff, and technical experts. Pursuant to this warrant, the FBI may deliver a complete copy of the seized or copied electronic data to the custody and control of attorneys for the government and their support staff for their independent review.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
RECEIPT FOR PROPERTY

Case ID: 3679996

On (date) 5/8/2023

item(s) listed below were:

- Collected/Seized
- Received From
- Returned To
- Released To

(Name) _____

(Street Address) 5914 N TAMPA ST

(City) TAMPA, FL 33604

Description of Item(s):

One (1) gray iPhone on dresser

One (1) gray Apple laptop, Model A2681, Serial number FDK2WQY91Y with charging cable on coffee table

One (1) gray Apple laptop, Model A1278, Serial number C1MH3DJ9DV13 with power cord, on desk

One (1) gray Macbook Air, Model A1466, Serial number C02MM0SNFLCG with power cord on desk

One (1) gray Apple laptop Serial number W80199B7AGZ with power cord on table

One (1) black rackmount PC on table

One (1) black rackmount PC on table

One (1) white computer tower on floor

One (1) gray Apple laptop, Model A1369, Serial number C02GK596DJWT on floor

One (1) gray Lacie external hard drive on server rack

One (1) gray Apple laptop, Model A1708, Serial number C02V94BZHV22 with charging cord on the left side of desk

One (1) black PC tower on floor

Three (3) notebooks from bookshelf

One (1) notebook from kitchen counter

One (1) Crucial solid state drive Serial number 2136E5CF45CB from server rack

One (1) Apple iPhone Model A1387, white; one (1) Apple iPhone Model A1660, black; one (1) Apple iPhone, Model A1660, silver - All on desk

One (1) black ORICO external hard drive with power cord under desk

One (1) back ASUS PC Serial number CCPDCG0019WM from floor under table

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

RECEIPT FOR PROPERTY


One (1) Crucial solid state drive in black enclosure Serial 2039E4B257CF with USB cable on the desk

One (1) Crucial solid state drive Serial number 2151E5F56D90 on bookshelf

One (1) black mini PC S/N 2239E66E7B from desk

One (1) black Hitachi 500GB hard drive S/N 80G3XZLCwith two cords on top of 8

One (1) PNY 64GB USB3 gray

Received By: 
(signature)

Received From: _____
(signature)

Printed Name/Title: SA MARK HANES

Printed Name/Title: _____