

UNITED STATES DISTRICT COURT

Eastern

District of

North Carolina

In the Matter of the Search of

(Name, address or brief description of person or property to be searched)

SEARCH WARRANT

Daniel Patrick Boyd, et al
134 Lakeside Circle
Willow Spring, North Carolina

Case Number: 5:09-M-1624

TO: Federal Bureau of Investigation and any Authorized Officer of the United States

Affidavit(s) having been made before me by SA Michael A. Greer who has reason to believe Affiant

that on the person of, or X on the premises known as (name, description and/or

As described in Attachment A

in the Eastern District of North Carolina there is now concealed a certain person or property, namely (describe the person or property)

Items described in Attachment B. Any computer search shall be conducted in accordance with Attachment C.

I am satisfied that the affidavit(s) and any record testimony establish probable cause to believe that the person or property so described is now concealed on the person or premises above-described and establish grounds for the issuance of this warrant.

YOU ARE HEREBY COMMANDED to search on or before 4 August 2009 Date

(not to exceed 10 days) the person or place named above for the person or property specified, serving this warrant and making the search X in the daytime — 6:00 AM to 10:00 P.M. at anytime in the day or night as I find reasonable cause has been established and if the person or property be found there to seize same, leaving a copy of this warrant and receipt for the person or property taken, and prepare a written inventory of the person or property seized and promptly return this warrant to

AMY E. D. N. C. MAGISTRATE JUDGE as required by law. U.S. Magistrate Judge (Rule 41 (f)(4))

25 JULY 2009 4:00 PM Date and Time Issued

Raleigh, NC. City and State

James E. Gates, U.S. Magistrate Judge Name and Title of Judge

Signature of Judge

RETURN		Case Number: 5:09 - M - 1624
DATE WARRANT RECEIVED 07/25/2009	DATE AND TIME WARRANT EXECUTED 07/27/2009 2:00pm	COPY OF WARRANT AND RECEIPT FOR ITEMS LEFT WITH LEFT AT RESIDENCE
INVENTORY MADE IN THE PRESENCE OF S.A. KRISTOPHER WARE		

INVENTORY OF PERSON OR PROPERTY TAKEN PURSUANT TO THE WARRANT

SEE ATTACHED INVENTORY LIST

FILED
AUG 18 2009
DENNIS P. IAVARONE, CLERK
US DISTRICT COURT, EDNC
BY _____ DEP CLK

CERTIFICATION

I swear that this inventory is a true and detailed account of the person or property taken by me on the warrant.

Robert Powell

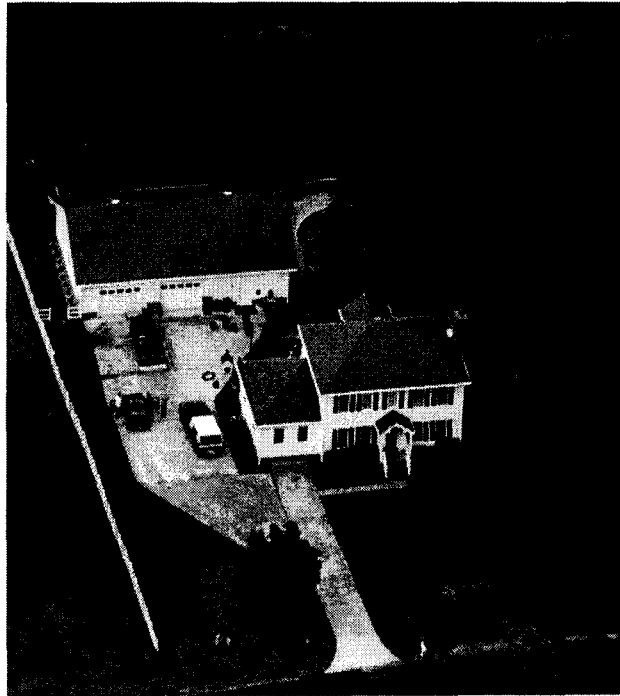
Subscribed, sworn to, and returned before me this date.

[Signature]
Signature of Judge

18 August 2009
Date

ATTACHMENT A
DESCRIPTION OF PERSONS, PROPERTY AND PLACES TO BE SEARCHED

1. **134 Lakeside Circle, Willow Spring, North Carolina:** A single family, two story residence located in the Shadow Lake sub-division, lot 36. The residence is white with dark shutters and a gray roof. To the rear of the residence is a matching white detached structure with a gray roof, having two garage doors and an exterior door on the front side. The locations to be searched are to include the entire residence, garages, any and all sheds, storage buildings, and/or containers, and the entire curtilage.



2. 1987 Ford Truck, VIN 1FTEX15N4HKB16541, NC Registration TWM-7441, Brown with white camper shell.
3. 1992 Mercedes, VIN WDBEA34E7NB796881, NC Registration VPT-2961, Black
4. 1995 Honda Civic, VIN 1HGEG8647SL012157, NC Registration 1740ES, White
5. 1996 Toyota Corolla, VIN 1NXBB02E0TZ490443, NC Registration 1369ES, Green

[Handwritten signature]

ATTACHMENT B
DESCRIPTION OF ITEMS TO BE SEIZED

Based on the facts as recited in the attached affidavit, your Affiant has probable cause to believe that the following items containing or constituting evidence, fruits and instrumentalities of violations of Title 18, United States Code 2339A, 956(a), 924(b), 924(c), and 922(d)(1) are at the location described in Attachment A.

Items sought to be seized include, but are not limited to the following, but seizure is permitted only to the extent such items constitute or contain evidence, fruits and instrumentalities of violations of the described crimes:

1. Any and all records, documents and materials. The term "records," "documents," and "materials" include all of the following items of evidence in whatever form and by whatever means such records, documents or materials, their drafts, or their modifications may have been created or stored, including, but not limited to, any handmade form (such as writing or drawing with any implement on any surface, directly or indirectly); any photographic form (such as microfilm, microfiche, prints, slides, negatives, videotapes, motion pictures, photocopies); any mechanical form (such as phonograph records, printing or typing); any electrical, electronic or magnetic form (such as tape recordings, cassettes, compact discs or any information on an electronic or magnetic storage device, such as floppy diskettes, hard drives, CD-ROMs, DVDs, optical discs, printer buffers, smart cards, memory calculators, electronic dialers, Bernoulli drives or electronic notebook, as well as printouts or readouts from any magnetic storage device).
 - a. Any and all past or present telephone books, Rolodex indices, calenders, telephone bills, appointment books, and other documents reflecting appointment and/or names, addresses and/or telephone numbers.
 - b. Any and all notes, markings, papers, paper scraps, partial documents, fax records, electronic mail, or other materials.
 - c. Identification documents, including but not limited to documents and other evidence that indicate ownership, occupancy, residency and associations.
 - d. Any and all financial and bank statements and records, money drafts, letters of credit, cashier's checks, safe deposit keys, statements of accounts, returned or cancelled checks, checkbooks and stubs, duplicates and copies of checks, deposit items, savings books, and passbooks, and similar bank and financial records.
2. Any computer, computer system and related peripherals; tapes, cassettes, cartridges, streaming tape, commercial software and hardware, computer disks, disk drives, modems, tape drives, disk application programs, data disks, system



disk operating systems, magnetic media floppy disks, hardware and software operating manuals, tape systems and hard drive and other computer related operation equipment, computer photographs, Graphic Interchange formats and/or photographs, undeveloped photographic film, slides, and other visual depictions of such Graphic Interchange formats (including, but not limited to, JPG, GIF, TIF, AVI, and MPEG), and any electronic data storage devices including, but not limited to hardware, software, diskettes, backup tapes, CD-ROMS, DVD, Flash memory devices, and other storage mediums; any input/output peripheral devices, including but not limited to passwords, data security devices and related documentation, and any hardware/software manuals

3. Any and all firearms, ammunition, explosives, explosive components and accessories, including but not limited to, hand guns, long guns, ammunition, ammunition containers, optics, magazines, and firearm accessories.
4. Any and all photographs, books, videos, and literature that advocates violent jihad, depicts potential co-conspirators or criminal associations, and depicts potential targets.
5. Currency.
6. Cellular telephones and SIM cards (cellular phone memory chip).

jest

ATTACHMENT C TO SEARCH WARRANT COMPUTER SEARCH PROTOCOL

1. Definition of "Computer." Unless otherwise defined in the warrant, "computer" means any electronic, magnetic, optical, electro-chemical, or other data processing device performing logical or storage functions, and includes any information storage facility, communications facility, or other equipment or media directly related to or operating in conjunction with such device. "Computer" also includes the system software (*e.g.*, operating systems, interfaces, hardware drivers), applications software, and related instruction manuals or other documentation and data security devices (*e.g.*, passwords, keycards) needed to conduct the search authorized by the warrant. "Media" as used in this definition means all forms of material or devices that are capable of storing or preserving electronic information (*i.e.*, data of any kind).

2. On-Site Search. To the extent practicable, the computer described in the warrant shall be analyzed at the search site (*i.e.*, the location identified in the warrant) and not seized for analysis off-site. Alternatives to seizure for purposes of analysis off-site that may be considered by the government include, but are not limited to, the following:

- (a) identification of a knowledgeable person at the search site who could assist the government in locating information subject to the warrant;
- (b) use by the government of its own expert at the search site to locate the information subject to the warrant;
- (c) creation at the search site of an electronic mirror image of those parts of the computer that are likely to contain information subject to the warrant and subsequent analysis of such mirror image copy off-site in lieu of the computer.



3. Seizure for Analysis Off-Site. If any computer subject to the warrant cannot practicably be analyzed at the search site, the warrant allows for seizure of such computer and its removal from the search site to a laboratory, controlled environment, or other off-site location for purposes of analysis. Such off-site analysis shall be completed as promptly as practicable. In the event of such seizure, the government shall furnish to the issuing Magistrate Judge every 30 calendar days after the warrant is returned a status update regarding the analysis being conducted, including an estimate of the additional time needed to complete the analysis. These updates shall continue to be submitted until the analysis is complete or until further order of the court. If upon completion of the off-site analysis the government determines that the computer and the information stored in it are not subject to permanent seizure as contraband (*i.e.*, property used in furtherance of criminal activity), fruits of criminal activity, or on other grounds, the government shall return the computer to the person from whom or from whose premises it was taken. Such return shall be made as soon as practicable after completion of the analysis but in no event more than 10 calendar days thereafter unless a longer time is allowed by court order or agreement of the parties.

4. Seizure as Contraband or Instrumentality. The government may permanently seize a computer and information stored therein that the government identifies (in connection with either an on-site or off-site search) as contraband, fruits of criminal activity, or otherwise subject to permanent seizure if the warrant allows for such permanent seizure. If the warrant does not authorize such permanent seizure, the government shall obtain another warrant supported by probable cause authorizing permanent seizure before effecting it. If the computer had initially been seized only for purposes of analysis off-site, the government shall notify the issuing Magistrate Judge of its determination to permanently seize the computer and/or information stored therein and may request



that its ongoing obligation to report on its analysis of such computer cease.

5. Storage of Information on Seized Computer. The government shall make a copy of all information stored on the computer as soon as practicable after the computer's seizure except as otherwise provided by the warrant. Such copy shall not be analyzed by the government except as reasonably necessary to confirm that it is an accurate copy, but shall be retained until further order of the court as a record of the state of the computer and the information therein prior to any subsequent analysis by the government. **The government shall not reconfigure the computer until such copy has been made.**

6. Return of Information from Seized Computer. If any person from which or from whose premises a computer is seized either for off-site analysis or permanently so requests in writing, the government shall provide to the person within a reasonable time of the request copies of any requested information not subject to permanent seizure (as contraband, fruits of criminal activity, or on other grounds) that may reasonably be necessary or important to the continuing functioning of the person's legitimate activities. If the government withholds any information requested, it shall within a reasonable time of the request identify to the person making the request the information being withheld and the reasons for withholding it.

7. Search Methodology. In conducting the search authorized by this warrant, whether performed on-site or off-site, the government shall make reasonable efforts to utilize a computer search methodology to search for and seize only that information which is identified in the warrant as subject to such search or seizure. The search methodology may include, but is not limited to, the following techniques:

A handwritten signature in black ink, appearing to be "J. H. [unclear]", located in the bottom right corner of the page.

- (a) surveying various file “directories” and the individual files they contain (analogous to looking at the outside of a file cabinet for the markings it contains and opening a drawer believed to contain pertinent files);
- (b) “opening” or cursorily reading the first few “pages” of such files in order to determine their precise contents;
- (c) “scanning” storage areas to discover and possibly recover recently deleted data;
- (d) scanning storage areas for deliberately hidden files; or
- (e) performing key word searches through all electronic storage areas to determine whether occurrences of language contained in such storage areas exist that are intimately related to the subject matter of the investigation.

8. Unopened Email. Except as expressly provided in the warrant, the warrant and this protocol do not authorize the opening and search of the contents of any kind of unopened electronic mail. In the absence of express authorization in the warrant, no opening and search of unopened electronic mail shall be conducted without a separate search warrant supported by probable cause.

9. Inventories. When a computer has been seized for analysis off-site, the government shall comply with Fed. R. Crim. P. 41(f) in the following manner:

(a) Initial Inventory. Following the on-site search and seizure, the government shall prepare the usual Rule 41(f) inventory of not only the property and items seized by it pursuant to the warrant, but also the information, which has, at that date, been identified as seized pursuant to the warrant. This inventory shall identify each computer that will be subject to further off-site analysis. For example, if the government makes an on-site mirror image of a computer for use in an off-site analysis, the government need only list the making of the mirror image in the return, with an



indication that it is subject to further searching pursuant to this warrant. The listing of any information that is seized from the computer off-site will then be made in the final inventory. The government shall give a copy of the warrant and this initial inventory of property seized to the person from whom or from whose premises the property was taken and make a return to the court, all as provided by Rule 41(f). Because of the nature of electronic or computer information, the listing of seized information in either the initial or final inventory may be made by copying the seized information to a computer diskette, compact disc (*i.e.*, CD), DVD, or like storage device and submitting it along with an affidavit which describes the contents of the storage device.

(b) Final Inventory. After completing the off-site analysis of the computer, the government shall prepare a final inventory of information seized during the off-site analysis. The government shall deliver a copy of the final inventory to the person from whom or from whose premises the computer was taken and make a return of the original final inventory to the court. The court will then attach this final inventory to the original search warrant and initial inventory as an addendum.

10. Copy of Protocol to Searching Personnel. Counsel for the government shall take reasonable steps to ensure that a copy of this protocol is provided to the person or persons who perform the search authorized by this warrant.

11. Superseding Effect. This protocol supersedes any contrary terms set forth in the application for the search warrant, the supporting affidavit, or any attachments thereto.



**UNITED STATES DEPARTMENT OF JUSTICE FEDERAL
BUREAU OF INVESTIGATION**

Receipt for Property Received/Returned/Released/Seized

File # 415M-CE-90838

On (date) Jul 27, 2009

item(s) listed below were:

- Received From
 Returned To
 Released To
 Seized

(Name) Daniel Patrick Boyd

(Address) 134 Lakeside Circle

(City) Willow Spring, NC

Description of Item(s):

FN 5.7X28 handgun from Dan Boyd's hip holster s/n386133238

berreta 9 2f s/n ber494176

handgun ammo from boyd arrest

wallet containing driver's license for dylan boyd, concealed handgun permit, walgreens card, foodlion mvp card

wachovia visa check card 4828512056780030 in the name of dylan boyd; pay pal mastercard in the dylan boyd number 5581588021389721

blackberry phone

three knives

leather holster that had fn handgun and dan boyd's ball cap

berreta hoster- zach boyd's

pocket knife- dylan boyd's

rifle s/nttl03622, ak-47 style, loaded- ammo seperated

30 rounds of ammo and empty chamber taken from item 10- serial ttl03622

sks rifle, unloaded, s/n 1300385, one empty magazine

model sa 200M 7.62x39, s/nef4486H

19 rounds from magazine and magazine from item 13 s/nef4486H

shotgun and back sling carrier (loaded-ammo placed in seperate item) s/n L3218594

7 1/2 shot in chamber, 6 slugs in tube from item 15 s/n L3218594

sks rifle s/n 111370078, unloaded

books from bookshelf, misc militant books

misc computer media

misc books from bookshelf, written in arabic with english translation, ammunition book

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2 books, "the palestinians holocaust" and "the communist manifesto"

book on basic electronics

book titled "In the shade of the qur'an"

remington 870, s/n ab223176m

ak style rifle (unloaded) 1 magazine, s/n m70b01563

30 rounds of ammo with magazine, from item 25, s/n m70b01563

noreko sks rifle, s/n 26004534, unloaded (1 mag)

model a15, panther arms, s/n fh68730, two empty mags

feg sa200m s/n da8960h

panther arms a15, s/n f044367

30 rounds of ammo in mag from item 30, s/n f044367

1 box of ammunition

1 box ammunition

1 box ammunition

1 box ammunition

1 box ammunition

1 box ammunition

1 box ammunition

.308 rifle, s/n 207638

20 rounds of ammo with mag from item 39, s/n 207638

solom II rifle, .308 s/n 228858

20 rounds of ammo with mag, from item 41, s/n 228858

century intl arms s/n m70ab21222, 7.62 mm

30 rounds of ammo and magazine from item 43, s/n m70ab21222

romanian 7.62 rifle

10 rounds ammo in mag, with item 45, sn d-2388-75ro

computer printouts, passwords, self storage records

1 bankers box of ammunition

1 empty ammo box, labeled xm855 armor piercing, with receipt for ammo

old newspaper articles

compac presario laptop

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File # 415M-CE-90838

spring arms .357 handgun, s/n us33866, loaded but not in chamber

12 rounds of ammo in gun, none in chamber, 12 rounds of ammo in mag as part of tactical holster, (24 total), with item 52, s/n us338666

winchester spotting scope in hard case

bushmaster .223 rifle, s/n L416313, unloaded, empty chamber

barska scope, attached to springfield arms mant.

30 round magazine full, chamber empty, s/n L416313, item 55

150 rounds of ammo in 5 mags, in bag with bushmaster .233 rifle, item 55 s/n L416313

5 magazines from item 55, s/n L416313

1 plastic tub containing ammunition

camo backpack with loaded magazines inside, tactical holster

calendars with notes on them from 2001, 2002, 2003

e-machine computer desk top tower

1 wooden crate containing ammunition

1 wooden crate containing ammunition

1 canister containing ammo

1 box containing 2 canisters of ammunition

1 canister of ammunition

1 canister of ammunition

1 canister of ammunition

1 canister of ammunition

1 canister of ammunition

1 canister of ammunition

papers/files of interest in bankers box

bankers box containing: bandolero with shot gun shells, 2 handgun mags, 1 tac holster, 1 leather holster, 1 leather holster, 1 rifle bi-pod, 1 box with misc ammo in boxes

1 box of misc ammo

1 box of misc ammo

1 box misc ammo

2 boxes containing ammunition

1 can of ammo

1 can of ammo

dell desktop computer

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File # 415M-CE-90838

hp computer desk top

cds, dvds, storage media

manuals, records, documents regarding jihad

ammo, holster, scope, handgun case

mac book laptop in case

macbook ac power supply, goes with item 87, macbook from vehicle r

misc documents

tax records, receipts, bank statements, cancelled checks

book titled "jihad in islam"

lexar junk drive

1 cd titled "koran" and 1 cd titled "nasheed's cd #2"

financial records and tax records

bb&t bank statements, cancelled checks, receipts, tax records, western union receipts

lazer bore site

2 floppy disks, 1 cd rom

five newspapers regarding september 11, 2001 attacks

documents, photos, articles, from time spent in afghanistan

papers by dylan boyd, on cyber security and evaluation forms and senior project instructions

1 rolodex case containing phone numbers

one ibm thinkpad laptop s/n 99-mb3n8

one ibm thinkpad laptop, s/n L3-wtyzk, with power cord

wallet and misc. docs belonging to daniel boyd

Qur'an with air france boarding pass from cargo vest

misc. audio cassette tapes

misc. military style ammo pouches and web gear

phantom drive

numerous ammo magazines

family tree of boyd family, school certificates of daniel boyd

cpu with asus drive, sony floppy, amd processor

documents regarding DARAL-ARQAM, and business records

koran with written notes inside

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File # 415M-CE-90838

chemistry 1.1 documents, koran quotation printouts

cover sheet and documents signed by dylan muhammed

used check registers and unopened correspondence from wachovia bank

sprint billing statement

3.5 floppy disks and zip disk

media

springfield arms gun case with tactical holsters inside (no gun)

various cart items and nextel phone

empty gun box, with s/n m70AB12971

empty gun box, sn tfl03622

empty gun box, sn ef4486h

empty gun box springfield armory, sn 228858

empty gun box, sn 207638

empty gun box, labeled century intl arms sn M70ab21222

empty gun box, labeled ruger rifle, sn 580-86591

springfield armory handgun, model xd-45acp, sn us703225

remington 870 express magnum, 20 gauge shotgun, sn c363736u

2 mags with 20 rounds each 5.7 ammo

1 20 gauge round found chambered in remington shotgun, sn c363736u, item 130

mag with 13 rounds plus 1 in chamber in springfield armory 45 cal. s/n us703225, plus 2 additional mags with 13 rounds each (26 total) w handgun

misc media

i.c.n.a. pamphlets in spanish and receipt for self storage unit

note with telephone #/name "abu zairab" and 3 cassette tapes, one with arabic writing on outside

military style compass and financial receipts/business cards

notes with addresses and phone #s

removable hard driver with charger

iqra'a digital player and user guide

notepad and paper with verses with phone #s

journal and misc. papers

5 pay as you go cards, \$15 each

military manual

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File # 415M-CE-90838

Panoramic Digital Camera, software CD

Misc CDs

Music player and cord s/n: 127619264310

One Kodak picture Cd

One telephone address book

Photos

Polaroid camera s/n AR700133050131084; computer media; sandisk; thumbdrive

5 rounds of 9mm ammo

\$834.00 in US currency

\$900 in US currency

\$12,110 in US currency

Computer media; thumbdrive

Tourist map of Jordan

Misc documents for Saxum business; saxum checks, Saxum invoices

2007-2008-2009 telephone books

At&T (3) go phones

Dell desktop L733 s/n 78RP401

One At&T go phone

2 boxes of 7.62mm ammo

3 sighting systems; one gun box; misc receipts for ammo and gun, paper with telephone number

Magazines and gun parts

Current and expired passports, bank records

Personal documents; tax records; passports

Military manuals

Black no name CPU S/N: O31974413

Calendar, ledger, used checkbooks, financial docs, police records

Silver AMD CPU, NO serial

Photos, bank records, phone records, gun accessories

3 AT&T go phones

Shooting paraphernalia

one MacBook laptop, s/n; 32512 with power cables

UNITED STATES DEPARTMENT OF JUSTICE FEDERAL BUREAU OF INVESTIGATION

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File # 415M-CE-90838

One baked pita chip bag with cell phones (sony ericsson, motoral i730; motorola i850; motorola 265, one charger

Deposit receipts, notes, business cards, notebooks and directions

checks, checkbook for zakariya Boyd and Sabrina Boyd

Magazines and rounds

Canon 35mm camera with film s/n: 1412200

Toshiba laptop with black case; quickbooks reference guide book; s/n 4021058CU

Documents and gun receipts

Personal documents and Khutbah

Cassette tapes

Photos, documents, articles from Afghanistan 1991

Militant Islamic documents

Receipts and notes

Misc computer media

8gb usb drive, mp3 player

Misc documents

Document with bank accounts and milestone book

Two boxes of 12 gauge ammo

Removable computer media

Knife

Foreign ID

Photos

Gun receipt and handwritten notes

CD and portable HD

Notes and militant documents, audio tape, video tape and address books

Received By

(signature)

Handwritten signature of Daniel E. Lucero

Received From

(signature)

Blank lines for signature and name of the person from whom property was received