

UNITED STATES DISTRICT COURT

for the
Southern District of New York

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

A SILVER AND BLACK AIPTEK HANDHELD VIDEO
CAMERA SERIAL NO. BMC70155393

Case No.

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 New York
(identify the person or describe the property to be searched and give its location):

A SILVER AND BLACK AIPTEK HANDHELD VIDEO CAMERA SERIAL NO. BMC70155393

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 A

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

August 18, 2009
(not to exceed 10 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 any on duty in this District clerk's office.
(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:

8/17/09 5:40 pm

James C. Francis IV
Judge's signature

City and state: New York, NY

Magistrate Judge James C. Francis IV
Printed name and title

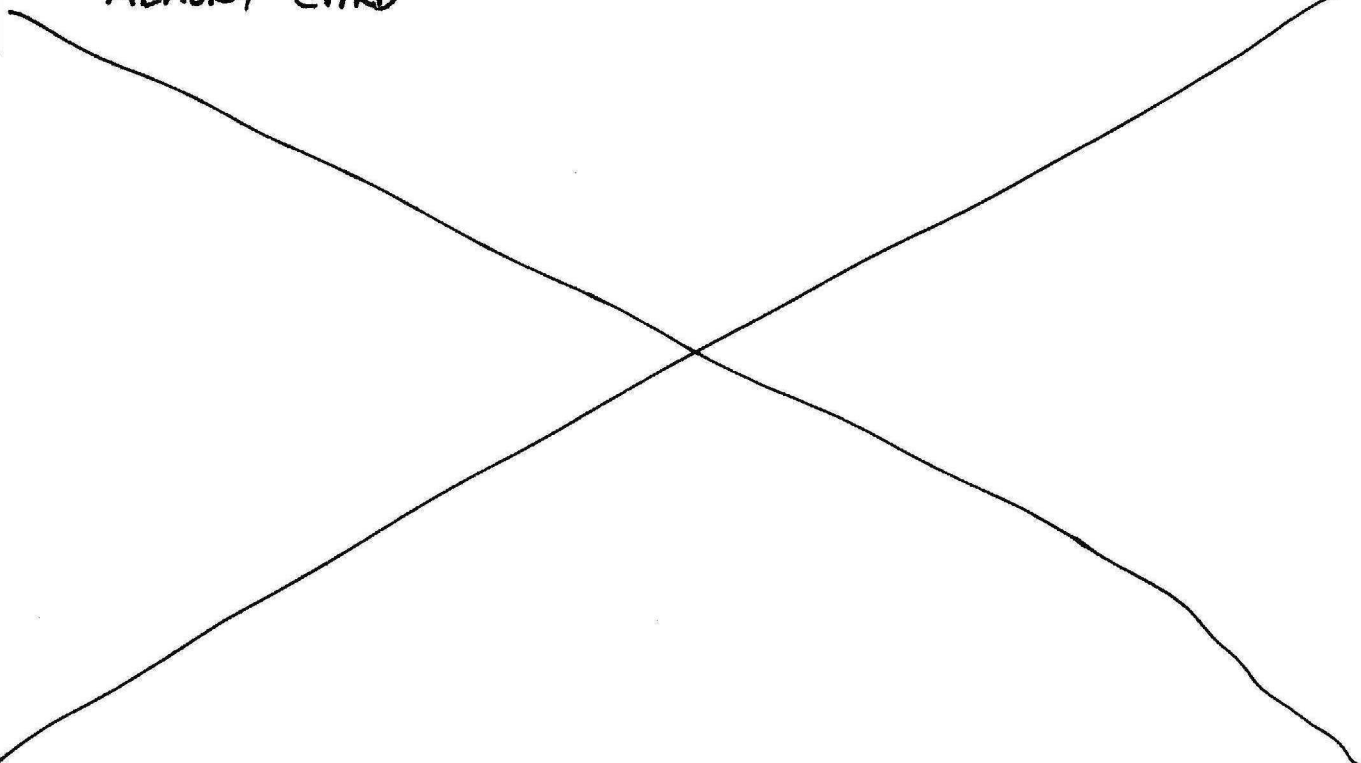
Return

Case No.:	Date and time warrant executed:	Copy of warrant and inventory left with:
	08/17/2009 1750	SHAWN THOMAS

Inventory made in the presence of:
 SHAWN THOMAS, FPS INSPECTOR CLIFFORD BARNES

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

- (1) SILVER & BLACK AIPTEK HANDHELD VIDEO CAMERA
 SERIAL NO: BMC70155393 W/AC CHARGER.
- (1) BLACK KINGSTON TECHNOLOGY MICRO SD ADAPTER
 MEMORY CARD



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

I request that this return be filed under seal because its disclosure would [check as applicable] ___ risk compromising the investigation and/or ___ pose a risk of danger to person(s) or property.

 AUSA Printed Name

 AUSA Signature

 Date

Attachment A

Items constituting evidence, contraband, fruits, or instrumentalities of violations of Title 18, United States Code, Sections 111(a)(1), including but not limited to:

1. A SILVER AND BLACK AIPTEK HANDHELD VIDEO CAMERA SERIAL NO. BMC70155393, including but not limited to any images or video footage contained on or in the video camera, or stored in its internal memory or on removable storage contained in the camera (e.g., a "memory card").

**United States District Court
Violation Notice**

105005548
CVB Location Code
SY41

Violation Number H 5116779	Officer Name (Print) C. BARNES	Officer No. 245
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H 5116779

YOU ARE CHARGED WITH THE FOLLOWING VIOLATION

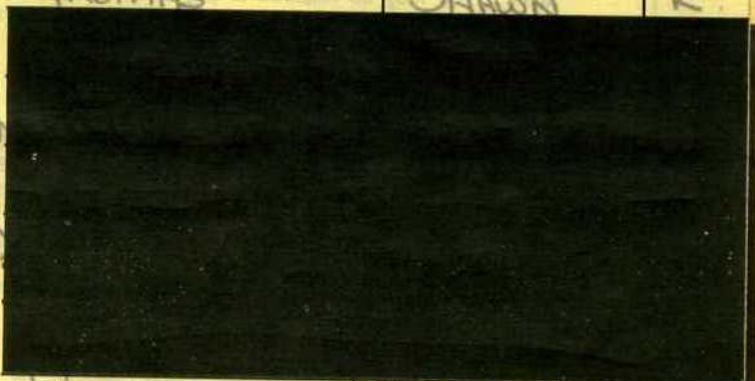
Date and Time of Offense (mm/dd/yyyy) 08/17/09 - 1520	Offense Charged <input checked="" type="checkbox"/> CFR <input type="checkbox"/> USC <input type="checkbox"/> State Code TITLE 41 CFR - 102-74.385
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Place of Offense
290 BROADWAY, NEW YORK, NY

Offense Description
FAILURE TO COMPLY WITH DIRECTIONS OF A LAW ENFORCEMENT OFFICER.

DEFENDANT INFORMATION

Last Name THOMAS	First Name SHAWN	M.I. R
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A IF BOX A IS CHECKED, YOU MUST APPEAR IN COURT. SEE INSTRUCTIONS (on back of yellow copy).

B IF BOX B IS CHECKED, YOU MUST PAY AMOUNT INDICATED BELOW OR APPEAR IN COURT. SEE INSTRUCTIONS (on back of yellow copy).

\$ _____ Forfeiture Amount
+ \$25 Processing Fee

PAY THIS AMOUNT → \$ _____ **Total Collateral Due**

YOUR COURT DATE

(If no court appearance date is shown, you will be notified of your appearance date by mail.)

Court Address 500 PEARL ST. NEW YORK, NY	Date (mm/dd/yyyy)
	Time (hh:mm)

My signature signifies that I have received a copy of this violation notice. It is not an admission of guilt. I promise to appear for the hearing at the time and place instructed or pay the total collateral due.

X Defendant Signature _____

109105548
CVB Location Code

United States District Court Violation Notice

5441

H 5116780

Violation Number H 5116780	Officer Name (Print) C. BARNES	Officer No. 245
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YOU ARE CHARGED WITH THE FOLLOWING VIOLATION

Date and Time of Offense (mm/dd/yyyy) 8/17/09-1520	Offense Charged <input type="checkbox"/> CFR <input type="checkbox"/> USC <input type="checkbox"/> State Code TITLE 41 CFR SECTION 102-74.390 (c)
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Place of Offense 90 BROADWAY, NEW YORK, NY
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Offense Description DISORDERLY CONDUCT - IMPEDES, DISRUPTS
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DEFENDANT INFORMATION

Last Name THOMAS	First Name SHAWN	M.I. R
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B IF BOX B IS CHECKED, YOU MUST PAY AMOUNT INDICATED BELOW OR APPEAR IN COURT. SEE INSTRUCTIONS (on back of yellow copy).

PAY THIS AMOUNT →	\$ _____ Forfeiture Amount + \$25 Processing Fee
	\$ _____ Total Collateral Due

YOUR COURT DATE

(If no court appearance date is shown, you will be notified of your appearance date by mail.)

Court Address 500 PEARL ST. NEW YORK, NY	Date (mm/dd/yyyy)
	Time (hh:mm)

My signature signifies that I have received a copy of this violation notice. It is not an admission of guilt. I promise to appear for the hearing at the time and place instructed or pay the total collateral due.

X Defendant Signature _____

**United States District Court
Violation Notice**

CVB Location Code

5141

Violation Number H 5116781	Officer Name (Print) J. BARNES	Officer No. 245
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H 5116781

YOU ARE CHARGED WITH THE FOLLOWING VIOLATION

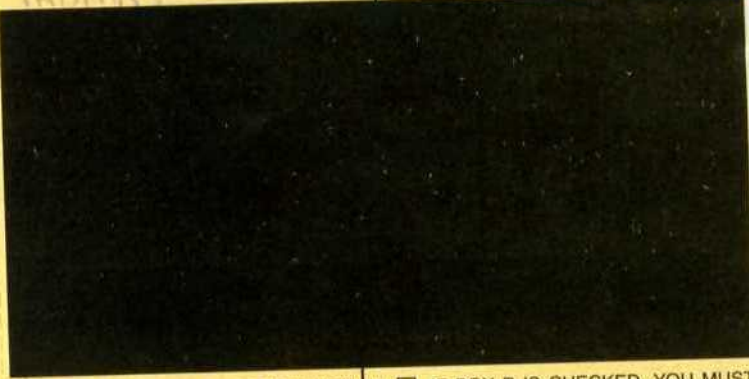
Date and Time of Offense (mm/dd/yyyy) 17/09-1520	Offense Charged <input checked="" type="checkbox"/> CFR <input type="checkbox"/> USC <input type="checkbox"/> State Code 18 USC SECTION 111(a)(1)
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Place of Offense
190 BROADWAY, NEW YORK, NY

Offense Description
IMPEDING DUTIES OF FEDERAL OPC.

DEFENDANT INFORMATION

Last Name THOMAS	First Name SHAWN	M.I. R.
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B IF BOX B IS CHECKED, YOU MUST PAY AMOUNT INDICATED BELOW OR APPEAR IN COURT. SEE INSTRUCTIONS (on back of yellow copy).

\$ _____ Forfeiture Amount
+ \$25 Processing Fee

PAY THIS AMOUNT →

\$ _____ **Total Collateral Due**

YOUR COURT DATE

(If no court appearance date is shown, you will be notified of your appearance date by mail.)

Court Address 500 PEARL ST. NEW YORK, NY	Date (mm/dd/yyyy)
	Time (hh:mm)

My signature signifies that I have received a copy of this violation notice. It is not an admission of guilt. I promise to appear for the hearing at the time and place instructed or pay the total collateral due.

X Defendant Signature _____

The Charges and The Law

18 USC Section 111 (a)(1)

Impeding duties of Federal Officer

Sec. 111. Assaulting, resisting, or impeding certain officers or employees

(a) In General. - Whoever -

(1) forcibly assaults, resists, opposes, impedes, intimidates, or interferes with any person designated in section 1114 of this title while engaged in or on account of the performance of official duties; or

Title 41 CFR - 102-74.385

Failure to comply with directions of a law enforcement officer.

§ 102-74.385 What is the policy concerning conformity with official signs and directions?

Persons in and on property must at all times comply with official signs of a prohibitory, regulatory or directory nature and with the lawful direction of Federal police officers and other authorized individuals.

Title 41 CFR - 102-74.390 (c)

Disorderly Conduct (Impedes, Disrupts)

§ 102-74.390 What is the policy concerning disturbances?

All persons entering in or on Federal property are prohibited from loitering, exhibiting disorderly conduct or exhibiting other conduct on property that—

(c) Otherwise impedes or disrupts the performance of official duties by Government employees;