

# UNITED STATES DISTRICT COURT

for the  
District of Columbia

In the Matter of the Search of

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

66 WEBSTER STREET, APT. 102, NE,  
WASHINGTON, D.C. 20011, AND TWO PHONES,  
SAMSUNG SM G530AZ (IMEI: 3556360701168609)  
SAMSUNG SM J320AZ (IMEI: 3565190762314405)

Case No.

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (*identify the person or describe the property to be searched and give its location*):

See Attachment A incorporated herein and included as part of the Affidavit in Support of this Application for a Search Warrant

located in the \_\_\_\_\_ District of \_\_\_\_\_ Columbia \_\_\_\_\_, there is now concealed (*identify the person or describe the property to be seized*):

See Attachment B incorporated herein and included as part of the Affidavit in Support of this Application for a Search Warrant

The basis for the search under Fed. R. Crim. P. 41(c) is (*check one or more*):

- evidence of a crime;
- contraband, fruits of crime, or other items illegally possessed;
- property designed for use, intended for use, or used in committing a crime;
- a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

<i>Code Section</i>	<i>Offense Description</i>
18. U.S.C. §§ 922(g) & 924(b)	Firearm violations

The application is based on these facts:  
See Attached Affidavit

- Continued on the attached sheet.
- Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

\_\_\_\_\_  
*Applicant's signature*

Adam C. Pool, Special Agent

\_\_\_\_\_  
*Printed name and title*

Sworn to before me and signed in my presence.

Date: 05/04/2017

\_\_\_\_\_  
*Judge's signature*

City and state: Washington, D.C.

G. Michael Harvey, U.S. Magistrate Judge

\_\_\_\_\_  
*Printed name and title*

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

IN THE MATTER OF THE SEARCH OF:  
66 WEBSTER STREET, APT. 102, NE,  
WASHINGTON, D.C. 20011, AND TWO  
PHONES, A SAMSUNG SM G530AZ (IMEI:  
3556360701168609) AND A SAMSUNG SM  
J320AZ (IMEI: 3565190762314405)

Misc. No. \_\_\_\_\_

**Filed Under Seal**

**AFFIDAVIT IN SUPPORT OF AN  
APPLICATION UNDER RULE 41 FOR A  
WARRANT TO SEARCH AND SEIZE**

Your affiant, Special Agent Adam Pool of the Federal Bureau of Investigation (hereafter FBI), being duly sworn, states as follows:

**INTRODUCTION**

1. I make this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure for a warrant to search the residence of 66 Webster Street, NE, Apt 102, Washington, D.C. 20011 (hereinafter "The APARTMENT"), and two cellular phones, that are in the possession of Clark Calloway, (hereinafter "ITEMS TO BE SEARCHED"), or located inside the APARTMENT. The ITEMS TO BE SEARCHED are further described in Attachment A, and the applied for warrant would authorize the forensic examination of the two cellular phones for the purpose of identifying electronically stored data particularly described in Attachment B. The applied for warrant would authorize the seizure of items in the APARTMENT particularly described in Attachment C, including the forensic examination of any electronic devices recovered therein.

2. I am a Special Agent of the Federal Bureau of Investigation ("FBI") and have been so employed since March 2005. I previously worked for the United States Army as a Commissioned Officer in the Military Police force for approximately four years. I am currently

assigned to the FBI Washington Field Office (“WFO”), Joint Terrorism Task Force (“JTTF”). As part of my duties with the WFO JTTF, I am assigned to investigate counterterrorism matters in Washington, D.C., northern Virginia, and elsewhere. I have held this assignment for over one year. In preparation for this assignment, and as part of my continuing education, I have successfully completed national-security-focused training, to include formal courses and training exercises. I also have read and/or studied numerous publications related to historical and current terrorism topics authored by analysts, investigators, and, in some cases, actual members, or supporters, of designated Foreign Terrorist Organizations (“FTO”). I have participated in all aspects of counterterrorism investigations, including, but not limited to, conducting physical surveillance; telephone, e-mail, and financial analysis obtained as a result of subpoenas; subject interviews; witness interviews; electronic surveillance; and operations of confidential human sources and undercover employees. Among other duties, I am involved in the investigation of Clark CALLOWAY (“CALLOWAY”), who resides within the District of Columbia. I am an investigative law-enforcement officer of the United States, within the meaning of Title 18, United States Code, Section 2510(7), and I am empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in Title 18, United States Code, Section 2516.

3. I have prepared and executed and otherwise been involved in search warrants of premises and devices that have led to the recovery of firearms, computers, electronic equipment, mobile communication devices, electronic data, and other contraband. I am familiar with how firearms are stored and maintained, and affirm that individuals who possess firearms or who attempt to possess firearms also frequently possess in their residences firearms cleaning kits, ammunition, and holsters. I am also familiar with how electronic devices, modems, computers, cameras, electronic storage media (DVDs, thumb drives etc.), and mobile communications devices

can be used to keep, store, and preserve electronic images, location information, contact information, metadata and other electronic material that may be relevant to a criminal investigation and establish identity, the location and designs of other conspirators, and the location of other relevant evidences. I am also aware that criminals often make and store digital and hard copy photographs, videos, and other records of their activity to document and further their criminal acts and also to share, brag, and distribute with like-minded peers. Among other duties, I am involved in the investigation of CALLOWAY, who resides within the District of Columbia.

4. In addition, I am aware that persons who illegally possess firearms will often take photographs of their weapons, with themselves or other conspirators, and that these persons will have these images on their electronic equipment, including their mobile communication devices on social media, and in their residences. Such persons also regularly discuss their acquisition and possession of weapons via email, text message, and on social media applications. They also will communicate with co-conspirators and others about their intent in acquiring such weapons, and operational planning, and they may also communicate about where they are storing or keeping other weapons and/or ammunition. I am aware that persons who commit violence in the District of Columbia with firearms may also use other weapons, such as knives and explosives, in commit violence. I am also aware that persons who possess firearms may also keep firearm paraphernalia (including extended gun magazines, silencers, mufflers, holsters, gun cleaning kits), and body armor. I am also aware that such persons also use computers and other electronic devices to facilitate these communications, and also use these devices to download, backup, and or share such images and communications. I am aware that electronic devices have significant storage capacity and may contain many such images. I am also aware that persons who are planning on using weapons will often write or plan their events in writing and/or electronically, and may include

information related to surveillance, plans of targets or security, and evidence of efforts to obtain other otherwise lawful material needed to assist in a criminal event (i.e., obtaining clothing, badges, information, body armor, or contact information), including, but not limited to notes, receipts, credit card statements, passwords, photographs, and electronic identification information. I am also aware that it is common for persons who may attempt to commit mass casualty or terrorist attacks will sometimes attempt to conspire with others or solicit others to join their scheme. I am aware that such persons will often attempt to communicate electronically or use encrypted communications or applications to avoid law enforcement detection.

5. This affidavit is intended to show only that there is probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

#### **PROBABLE CAUSE**

6. Title 18 U.S.C. § 924(b) states: “Whoever, with intent to commit therewith an offense punishable by imprisonment for a term exceeding one year, or with knowledge or reasonable cause to believe that an offense punishable by imprisonment for a term exceeding one year is to be committed therewith, ships, transports, or receives a firearm or any ammunition in interstate or foreign commerce shall be fined under this title, or imprisoned not more than ten years, or both.”

7. I am also aware that there are numerous federal statutes criminalizing certain transfers of firearms. For example, 18 U.S.C. § 922(g) prohibits felons from shipping in interstate or foreign commerce, or possessing, firearms or ammunition. This offense carries a maximum sentence of ten years imprisonment.

8. As explained more fully below, your affiant believes CALLOWAY sought a firearm from sources in order to assault other individuals. Assaulting other individuals with a firearm is, at a minimum, an assault with a dangerous weapon, in violation of 22 D.C. Code § 401.

9. To date, the investigation has established probable cause to believe that, located on CALLOWAY's person, or within CALLOWAY's home, CALLOWAY possesses the cellular phones, which CALLOWAY used to communicate about firearms, about his intent and desire to obtain the firearms, his intent to use firearms, and to help facilitate the sale of the firearm by Confidential Human Source 3 ("CHS3"). As discussed below, the cellular phones more fully described in Attachment A will likely be found in or near CALLOWAY's person or the APARTMENT at the time of his arrest.

10. Your affiant has surveilled the APARTMENT, which is located inside a brick, two story apartment building located at 66 Webster Street, N.E., in Washington, D.C. The front door of the apartment is light gray in color with a brass knocker that lists the apartment number. Your affiant is aware that FBI agents have observed CALLOWAY regularly enter and exit 66 Webster Street, N.E., and that CALLOWAY lists the APARTMENT address on his driver's license and in publically available Facebook posts.

11. This Court has jurisdiction to issue the requested warrant because the APARTMENT is located in the District of Columbia, and your affiant believes the items and phones in the ITEMS TO BE SEIZED will be located in the District of Columbia at the time of the search. Surveillance of target CALLOWAY indicates CALLOWAY resides in the District of Columbia, uses a cell phone as a mode for communicating, and does not generally leave the District of Columbia. Your affiant has no evidence that CALLOWAY owns a personal computer, or that

he communicates by means other than through a cellular phone and the internet. The offense under investigation is the subject of a grand-jury investigation in the District of Columbia.

### **BACKGROUND OF THE INVESTIGATION**

12. In June 2016, the WFO began an investigation on an individual named Clark CALLOWAY based on information obtained by an FBI acting in an undercover capacity (“UCE”). The “UCE” observed CALLOWAY’s public Facebook account, which contained pictures associated with jihad and terrorism, including individuals walking with rocket launchers, machine guns, and other weapons, and individuals carrying the black flag commonly associated with the Islamic State of Iraq and al Sham (“ISIS”),<sup>1</sup> which is an FTO.

13. On October 15, 2004, The United States Secretary of State designated Al-Qaeda in Iraq (“AQI”), then known as Jam’at al Tawhid wa’al-Jihad, as an FTO under Section 219 of the Immigration and Nationality Act and Specifically Designated Global Terrorist under section 1(b) of Executive Order 13224. On or about May 15, 2014, the Secretary of State amended the designation of AQI as an FTO under section 219 of the Immigration and Nationality Act and Specifically Designated Global Terrorist under section 1(b) of Executive Order 13224 to add the alias Islamic State of Iraq and the Levant (“ISIL”) as its primary name. The Secretary of State also added the following aliases to the FTO listing: the Islamic State of Iraq and al’Sham (ISIS—which is how the FTO will be referenced herein), the Islamic State of Iraq and Syria, ad-Dawla al-Islamiyya fi al-‘Iraq wa-sh-Sham, Daesh, Dawla al Islamiya, and Al-Furqan Establishment for Media Production. On September 21, 2015, the Secretary added the following aliases to the FTO listing: Islamic State, ISIL, and ISIS. To date, ISIS remains a designated FTO.

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<sup>1</sup> Unless otherwise stated, or if the organization is identified in the body of a quote by another name, I will refer to this organization as ISIS.

14. During the course of the investigation, WFO determined that CALLOWAY has an extensive criminal history, including a felony conviction in the Superior Court of the District of Columbia, Washington, D.C. On December 4, 2002, CALLOWAY pleaded guilty to one count of Aggravated Assault and one count of Carrying a Dangerous Weapon, relating to CALLOWAY's stabbing of another individual. Aggravated Assault is a crime punishable by imprisonment for a term exceeding one year. CALLOWAY was sentenced to one-year incarceration as to each count, with each sentence to run concurrently. Thereafter CALLOWAY was placed on supervised release with a referral for mental-health treatment. While incarcerated, and on supervised release, CALLOWAY was ordered to receive mental-health treatment, substance-abuse treatment, and vocational training.

15. Based on the investigation in this case, your affiant is aware that CALLOWAY is presently a construction worker without many personal or social connections. He is divorced and severed ties with his immediate family several years ago. Your agent believes Calloway lives alone in his apartment, in Washington, D.C., and regularly travels between work and home via Metro. CALLOWAY formerly served in the United States Marine Corps from 1997-2001, where he received infantry and explosives training. CALLOWAY posted on his publicly available social-media accounts that, "I know how to make explosives. The Marines taught me this." CALLOWAY visibly maintains a red, green, and black flag in his apartment window. CALLOWAY had this same red, black, green flag as his Facebook profile picture; the flag included the words, "ALLAH IS MY LORD, ISLAM IS MY LIFE, QURAN IS MY GUIDE, SUNNAH IS MY PRACTICE, JIHAD IS MY SPIRIT, RIGHTEOUS IS MY CHARACTER, PARADISE IS MY GOAL, I ENJOIN WHAT IS RIGHT & FORBID WHAT IS WRONG, I WILL FIGHT AGAINST OPPRESSION, AND I WILL DIE TO ESTABLISH ISLAM." Based

on my training and work with other investigations, your affiant is aware that the flag and pledge is associated with, among other things, pro-ISIS and extremist-racist ideologies.

16. In the course of the investigation, your Affiant identified CALLOWAY's phone number as 202-600-0511 ("CALLOWAY PHONE") and email account as newagebreeder@hotmail.com ("CALLOWAY EMAIL"). As discussed herein, legal process has confirmed the above cell-phone number and email address belong to CALLOWAY, and further legal process has confirmed that CALLOWAY controls multiple Facebook accounts.

17. In the course of the investigation, your affiant has confirmed through legal process that at least two different phones have been assigned by the wireless provider to CALLOWAY for phone number 202-600-0511. CALLOWAY communicated to CHS3 that he, CALLOWAY, recently obtained a new cell phone for phone number 202-600-0511. Your affiant confirmed through legal process that CALLOWAY is subscribed to two phones: a SAMSUNG SM-G530AZ (IMEI: 3556360701168609) and a SAMSUNG SM-J320AZ (IMEI: 3565190762314405). Your affiant also confirmed that CALLOWAY is a United States citizen who resides at the APARTMENT.

18. CALLOWAY has posted numerous violent and threatening statements on a public Facebook page titled "Clark Calloway," which has the unique Facebook identification number: 100001284557457. In July 2016, Facebook provided account information to the FBI for Facebook user identification 100001284557457. According to those records, the registration name for this account is Clark Calloway, and the account email address is grandadventure2011@gmail.com. Further legal process has confirmed this email address was registered in the name of Clark Calloway. Additionally, numerous photographs posted on Facebook account user identification

100001284557457 are photographs of CALLOWAY, including multiple photographs of CALLOWAY's driver license.

19. On August 8, 2016, CALLOWAY established Facebook account 100013342175706 by using Hotmail email account newagebreeder@hotmail. Since establishing Facebook account 100013342175706, CALLOWAY has "friended" several hundred individuals who are assessed to be ISIS fighters and sympathizers, joined numerous ISIS Facebook groups, and posted pro-ISIS propaganda. In September 2016, Facebook provided account information to the FBI for the Facebook user identification 100013342175706. According to those records, the user name for that account is Alexander Dumas, and the account email address is newagebreeder@hotmail.com. Legal process has confirmed newagebreeder@hotmail.com was registered to CALLOWAY's name. Your affiant also believes CALLOWAY uses "Alexander Dumas" as an online alias because the account references matters occurring in CALLOWAY's life, and the Facebook profile picture of Facebook user identification 100013342175706, "Alexander Dumas," is that of CALLOWAY.

20. On January 1, 2017, CALLOWAY established Facebook account 100014819770689 by using Hotmail email account newagebreeder@hotmail.com. In January 2017, Facebook provided account information to the FBI for the Facebook user identification 100014819770689. According to those records, the user name for that account is Clark Calloway Jr., and the account email address is newagebreeder@hotmail.com. Your affiant also believes CALLOWAY uses "Clark Calloway Jr" because the account has multiple pictures of CALLOWAY available for public view.

21. The FBI has assessed that CALLOWAY maintains at least two active Facebook accounts—one related to his extremist racial views and one related to his pro-ISIS views.

Facebook previously shut down three accounts relating to CALLOWAY because of violations of Facebook's terms of use and service.

22. CALLOWAY has made violent statements regarding jihad and violently establishing an Islamic Caliphate as declared by ISIS. In a Facebook post to his "Clark Calloway" page, which is the user identification 100001284557457 account, CALLOWAY stated on May 26, 2013, "I mean that once the Ummah unites, we will re-establish the Caliphate, and dominate the world righteously and justly under the most important law of all! The law of Allah! This is written in the Quran! This will occur when Issa(SAW) returns, and he breaks the cross of idoleatry, and testifies to the world of the truth if Islam!"

23. CALLOWAY has pledged support to ISIS and its leader, Abu al-Baghdadi, in a Facebook post to his "Clark Calloway" page, which is the user identification 100001284557457 account. In a July 2014 Facebook post, CALLOWAY stated, "I support the brother Abu al-baghdadi. I support the ISIS caliphate." CALLOWAY also stated in a public post to the same account that ISIS is "already in America (sic) and will stop at nothing to exact revenge." Additionally, CALLOWAY publicly voiced support on his Clark Calloway Facebook account for the suspects in the Garland, Texas, shooting relating to the "Muhammad Art Exhibit & Contest" event on May 3, 2015; CALLOWAY called the two suspects "martyrs." CALLOWAY has stated multiple times on Facebook that he has been to prison. CALLOWAY also stated that he has been to federal prison and "met Al Qa'ida members."

24. On July 16, 2016, CALLOWAY posted on his public Facebook page with user identification 100001284557457, which is Facebook account "Clark Calloway," a message urging others to engage in mass violence: "Warriors, don't rely upon European-invented firearms, because firearms, are nothing but machines, that eventually malfunction, and bullets, do run out.

My weapons of choice, are the knife, swords, or machetes. The Hutu Rwandan militias, massacred, over 500, 000 people, in less than 3 months, in 1994, using machetes alone(of course most of their victims were unarmed women and children who were also Afrikan). When your bullets run out, your going to have to fight these racist, in hand to hand. Think about that.”

25. On October 29, 2016, CALLOWAY posted on his public Facebook page with user identification 100001284557457, which is Facebook account “Clark Calloway,” his desire to conduct a violent revolution against whites and conducting a race war by stating, “Let’s put bullets in them.”

26. On November 5, 2016, CALLOWAY posted on his public Facebook page with user identification 100001284557457, which is Facebook account “Clark Calloway,” the following message: “the time to kill is now just don’t kill yourselves.”

27. On November 12, 2016, CALLOWAY posted on his public Facebook page with user identification 100001284557457, which is Facebook account “Clark Calloway,” the following message: “two pigs were just shot in Boise, Idaho.” Your affiant is aware that around the same time, on or about November 12, 2016, two law-enforcement officers were shot in Idaho. Furthermore, CALLOWAY stated, “choose the bullet over the ballot!”

**PROBABLE CAUSE**

**CALLOWAY’S COMMUNICATIONS WITH  
CONFIDENTIAL HUMAN SOURCE #1**

28. Since 2013, Confidential Human Source 1 (“CHS1”) has been providing information to the FBI. I believe CHS1 has provided reliable information in this and other investigations. CHS1 has received monetary compensation for working with the FBI. Information provided by CHS1 largely has been corroborated by independent investigative steps, and no information provided by CHS1 has been found to be false or misleading.

29. On or about September 17, 2016, CHS1 developed an online relationship with CALLOWAY through Facebook account “Alexander Dumas,” which is user identification 100013342175706. Beginning on that date, CHS1 took screen shots of the conversations with CALLOWAY, in which CALLOWAY indicated to CHS1 that CALLOWAY hates white people, subscribes to Islamic extremist ideology, and would avail himself of the opportunity to conduct violent jihad, or holy war. CALLOWAY stated, “I am a Mujahid,” or one engaged in holy war. When CALLOWAY and CHS1 discussed African American Muslims as being the ones to lead the “black flags” (a symbol for ISIS) in the United States, Calloway responded, “InshaALLAH.” I understand “inshallah” to be equivalent to “If Allah wills it,” or “hopefully.” Additionally, CALLOWAY made references to ISIS in his discussions with CHS1, and CALLOWAY stated the “brothers” in Syria are driving the West “nuts.” I understand CALLOWAY to be using the term “brothers” when referring to the ISIS fighters.

30. During the same conversation, on September 17, 2016, CALLOWAY expressed concern that CHS1 was the “feds.” In response, CHS1 informed CALLOWAY that CHS1 was not the “feds,” and CHS1 asked CALLOWAY how CHS1 could know whether CALLOWAY was with the FBI. CALLOWAY stated, “You are not. Wallahi.<sup>2</sup> The FBI is watching me. They visited me a year ago. They came to my job, and just told me they are watching me.”

31. On or about September 20, 2016, CHS1 took screen shots of another Facebook conversation with CALLOWAY. In that conversation, CHS1 and CALLOWAY discussed a terrorist attack that took place in September 2016 in New Jersey and New York, where a series of bombs and violence injured more than twenty-nine people. CALLOWAY stated to CHS1 after the attacks, “Good. MaashALLAH! This entire place is insane! May ALLAH destroy it, as it

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<sup>2</sup> Your affiant understands this term to mean I swear to Allah.

destroyed Sodom, and Gomorrah!” CALLOWAY then stated, “. . . most people are weak. They are cowards, and followers. Claiming innocence, yet no one is innocent. No one is exempt from punishment.”

32. On or about September 25, 2016, CHS1 took screen shots of the CHS1 phone, which displayed conversations between CHS1 and CALLOWAY via a secure-messaging application. During one conversation, CHS1 presented Calloway with two ways to make Islam dominant over all other religions. CHS1 told CALLOWAY that Islam has the options of Dawah<sup>3</sup> and Jihad<sup>4</sup> for those who try to stop the Dawah. In response, CALLOWAY stated, “Jihad it is. I hate al kaffiroon anyway.” Your affiant understands the term kaffiroon to be the Arabic word for disbelievers. In addition, CALLOWAY stated he wanted a wife (“Zawja”) and was looking for a foreign woman, preferably Yemeni. In discussing wives, CALLOWAY stated, “I don’t have enough falous, or money to travel overseas” and “. . . To hell with Amerikka, but this is where I live akhi.<sup>5</sup> I’m trapped. This is a prison, if you are Black and Muslim. I pray for the death of Amerikkka.”

33. On or about September 30, 2016, CHS1 took screen shots of its phone displaying the close-in-time conversations CHS1 was having with CALLOWAY on the encrypted messaging application. During this conversation, CHS1 stated to CALLOWAY, “And I am very serious Akhi, you don’t know me, I am man of man, soldier of Allah.” After CHS1 confirmed to CALLOWAY that CHS1 was a soldier of Allah, CHS1 asked CALLOWAY about the ISIS “friends” they both have in common on Facebook. CALLOWAY confirmed to CHS1 that he,

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<sup>3</sup> Your affiant understands this term to mean inviting or sharing the word of Allah as expressed in the Qur’an.

<sup>4</sup> Your affiant understands this term to mean holy war.

<sup>5</sup> Your affiant understands this term to mean brother.

CALLOWAY, is Facebook “friends” with ISIS members and that “[a]s far as the friends, that you have noticed, that we share, I don’t know any of them personally, I only met them, as I met you. On here!”

34. On September 30, 2016, CHS1 took screen shots of the CHS1 phone displaying the conversation CHS1 had with CALLOWAY on the encrypted messaging application. CALLOWAY told CHS1, “One thing you should know about me brother, is that I am Masnoon (crazy) at times. I left some of my sanity in the United States Marine Corps. I am a Marine veteran. It was a part of the training, and experience. I’m also an ex-convict. As I said, I am not idiot.” CALLOWAY also asked CHS1 if CHS1 had ever heard of the “Fort Dix 6,”<sup>6</sup> and then CALLOWAY stated, “The Palestinian brother, that was accused of masterminding that operation, was my friend. I met him in federal prison in 2008-9! I spent, about a week, in Solidarity confinement with the brother. He will die incarcerated. He reminded me, to always offer Salat [the ritual of prayer in Islam], no matter what. We met for a reason. Just as we have met.” Calloway then declared, “We are all Mujahideen.”<sup>7</sup> Your affiant has confirmed that CALLOWAY was incarcerated at the same time and same facility as one of the persons convicted in the Fort Dix conspiracy.

35. During the September 30, 2016, Facebook conversation, CALLOWAY told CHS1 that the FBI sent agents to his job, and the FBI and other police departments were watching him. CALLOWAY then said, “InshaALLAH, my time will come. These are the last days.” Your affiant

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<sup>6</sup> Your affiant is aware that in or about June 2007, six persons were arrested, charged and subsequently convicted on multiple federal offenses based on their conspiracy to commit murder of U.S. military personnel at Fort Dix Military Base in New Jersey.

<sup>7</sup> Your affiant understands this term to mean one who engages in violent jihad.

confirmed that FBI agents did interview CALLOWAY at his place of employment in October 2015.

36. Also during the September 30, 2016, Facebook conversation, CHS1 told CALLOWAY that CHS1 is sick and tired of America and cannot wait to go to Yemen. CALLOWAY responded, “InshaALLAH. Maybe I will go with you.” In a follow-up to CALLOWAY’s indication of his willingness to travel, CHS1 informed Calloway that CHS1 would rather die in Yemen with the mujahedeen than live with cowards here in America. CALLOWAY responded, “May ALLAH destroy this wicked society.” Furthermore, CALLOWAY stated, “This government must be overthrown. Wallahi [I swear by God]. I’m going to kill some of these crackers before the death angel approaches. I have a vendetta against them . . . InshaALLAH [God willing(hopefully)]. The battlefield will be here shortly. InshaALLAH.”

37. On January 25, 2017, Calloway shared multiple pro-Mujahedeen/ISIS Facebook posts originally posted on CHS1’s Facebook page. One post displayed a photograph of what appears to be a deceased ISIS fighter and a somber story of an Islamic fighter defending the life of a Mujahid with the following passage: “This life that you have chosen for yourself, it will make you lose your loved ones in one way or the other.” The CHS1 separately posted an image of an ISIS fighter with the caption, “You only die once” and “[Better to] [I]ive a tiger’s life for one day, than to live a dog’s life for 100 years”—CALLOWAY shared this post on his Facebook account.

38. On January 31, 2017, Calloway shared multiple pro-ISIS Facebook posts originally posted on CHS1’s Facebook page. In one post, CALLOWAY shared a letter that was written to the leader of ISIS, Abu Bakr al-Baghdadi. In the letter, the author argued that ISIS would survive any attack from the west.

CALLOWAY’S COMMUNICATIONS WITH FBI CONFIDENTIAL HUMAN  
SOURCE #2

39. Confidential Human Source 2 (“CHS2”) is a person known to CALLOWAY since the summer of 2015, and in and about November 2016, CHS2 was approached by, and agreed to work with, the FBI. Prior to CHS2’s contact with the FBI, in October 2016, CALLOWAY attempted, unsuccessfully, to purchase an AK-47 firearm from CHS2. CHS2’s telephone listed CALLOWAY’s telephone as a personal contact with the nickname “Brother Jihad,” and CHS2’s telephone contained historic text messages between CHS2 and Brother Jihad/CALLOWAY. The historic records indicated that on or about October 8, 2016, prior to any FBI contact with CHS2, CHS2 texted Brother Jihad at CALLOWAY’S PHONE. In that text message, CHS2 sent Brother Jihad a photograph of CHS2 holding an AK-47. In response, Brother Jihad (CALLOWAY) stated he wanted to buy the AK-47 firearm. CHS2 refused to sell the gun, and Brother Jihad texted a reply, “I wouldn’t sell it either. That is a Kuffar killer! Viscous [sic].” CHS2 agreed: “Yeah. You right about that too.” Brother Jihad then stated, “Looks like SKS! That is definitely an SKS! I can tell by the body!” Your affiant believes that SKS refers to a brand of assault rifle. CHS2 corrected Brother Jihad, stating the weapon was an “AK 47.” Brother Jihad then stated, “I was close. 7.62 mm bullets. That will split someone in half. A chopper!” CHS2 responded, “Hunter point bullets.” Brother Jihad texted back, “Right, or hallow tip! If I had that I would start a revolutionary war!” CHS2 then texted, “Hallow.” Brother Jihad responded, “Right. A deal breaker.” CHS2 replied, “You don’t need that.” Brother Jihad responded, “All I have is a machete.” CHS2 responded with a smiley-face emoticon and stated “something is better than nothing.”

40. In November 2016, prior to CHS2’s agreement to work with the FBI, CHS2 was interviewed by immigration agents from the Department of Homeland Security (“DHS”), Immigration and Customs Enforcement (“ICE”), and FBI agents. Following the ICE interview,

FBI agents questioned CHS2. During CHS2's interview with FBI agents, CHS2 stated CHS2 had not held a gun since the early 1990s. CHS2 subsequently consented to a search of CHS2's cellular phone. FBI agents thereafter observed the above-described photograph from October 8, 2016, depicting CHS2 holding an AK-47, and text messages between CHS2 and CALLOWAY. CHS2 was asked about the photograph and CHS2 stated CHS2 only shared the photograph with CHS2's family member. Law enforcement also asked CHS2 about CHS2's October 2016 texts with Brother Jihad. CHS2 identified Brother Jihad by name as "Clark Calloway," a person known to CHS2 for several months. The FBI also asked CHS2 about CHS2's understanding of the word "kuffar," and CHS2 responded that a "kuffar" is anyone who is not a true believer in Allah.

CHS2 has a criminal record with multiple felonies and is aware ICE may seek CHS2's eventual removal from the United States. CHS2 is seeking lawful permanent residence, and in October 2012, CHS2 wrote on an immigration form that CHS2 had never been convicted of a drug-trafficking offense, when, in fact, CHS2 had been convicted of such an offense in the early 1990s (although CHS2 acknowledged other felony conduct on the same form). Prior to November 2016, CHS2 did not promptly inform ICE that CHS2 had a foreign passport even though CHS2 previously agreed to inform ICE about any change to CHS2's travel documents. CHS2 additionally stated on employment forms that CHS2 had legal status to be employed in the United States, even though CHS2 did not have such status. Before agreeing to cooperate with the FBI, CHS2 expressed concern about being arrested because of CHS2's misrepresentations on the immigration forms relating to CHS2's past convictions and misrepresentations to ICE about possessing a foreign passport. CHS2 also acknowledged to law-enforcement officers that CHS2 receives mental-health treatment. CHS2 received deferred action in CHS2's immigration matter. Since CHS2 has agreed to work with the FBI CHS2 has received less than \$300 from the FBI.

41. On December 5, 2016, the FBI met with CHS2, and the FBI asked CHS2 if CHS2 would offer to sell a firearm to CALLOWAY, where the firearm was similar to the gun CALLOWAY previously expressed interest in purchasing from CHS2. CH2 agreed and contacted CALLOWAY by text message via mobile phone number 202-600-0511 regarding the sale of an M-16 with a sound suppressor, which is a fully automatic machinegun. CHS2 sent a text to CALLOWAY with a picture of CHS2 holding the M-16 weapon. CALLOWAY responded to CHS2 and stated he would call CHS2 later. CALLOWAY called CHS2 a few minutes later from CALLOWAY's phone and told CHS2 that he was interested in purchasing the weapon, but he could not afford the weapon right now. CALLOWAY ended the conversation by stating if CHS2 had another buyer, CHS2 could go ahead and sell it to that buyer.

42. On February 10, 2017, CHS2 contacted CALLOWAY by sending CALLOWAY a text message with a picture of CHS2 holding two assault rifles and the caption, "Jihad, salam alaikum. Name your \$\$\$ . Hit me up soon." One of the assault rifles in the photograph was an AK-47 rifle. CALLOWAY responded to CHS2 by sending a text message that stated, "Wa laikum salaam. InshaALLAH, keep me in mind ahki." CALLOWAY sent another text message that asked, "Do you have the ammunition for the AK-47?" CHS2 and CALLOWAY then spoke by telephone and CALLOWAY expressed interest in the rifle. CALLOWAY asked CHS2 once again if CHS2 had ammunition for the AK-47. CHS2 offered to sell the AK-47 to CALLOWAY and CALLOWAY responded that he did not currently have the money to buy it.

43. On February 18, 2017, CHS2 contacted CALLOWAY by phone. During the conversation, CHS2 reported CALLOWAY brought up the topic of "toys." CHS2 indicated that CHS2 understood the term "toys" to refer to the firearm and silencer that CHS2 previously discussed with CALLOWAY. CHS2 stated that CALLOWAY told CHS2 that CALLOWAY had

not forgotten about the “toys.” CHS2 reported CALLOWAY instructed CHS2 to keep CALLOWAY in mind in reference to the sale of the items.

44. On or about April 12, 2017, CHS2 and CALLOWAY met. CHS2 reported CALLOWAY made multiple statements regarding CALLOWAY’s dislike for America, the American government, and white people. CHS2 reported that CALLOWAY was full of hate. CHS2 reported CHS2 questioned CALLOWAY on what CALLOWAY would do if he had a gun. CALLOWAY replied to CHS2 that he did not want the gun because he “got no heart for that.”

CALLOWAY’S COMMUNICATIONS WITH FBI CONFIDENTIAL HUMAN  
SOURCE #3

45. In or about October 2016, CALLOWAY met FBI Confidential Human Source #3 (“CHS3”). Since the first meeting, CALLOWAY became friendly with CHS3. CHS3 has reported seeing CALLOWAY with his cellular phone on his person on multiple occasions. CHS3 has assisted the FBI with numerous investigations since 2003, including one case that resulted in a conviction. The CHS3 received monetary compensation for working with the FBI. To date, the CHS3 has received over \$275,000.00 from the FBI for CHS3’s assistance to law enforcement. The CHS3 has not provided any information that was later found to be false, or misleading, and CHS3 is believed to be reliable. Prior to CHS3’s involvement with the FBI, CHS3 was convicted of two felonies. While working for the FBI, CHS3 was not arrested or convicted for any crime while working for the FBI.

46. On or about January 26, 2017, CHS3 sent a text message to CALLOWAY at 202-600-0511. In the text message, CHS3 referenced its travel to Virginia and that CHS3 expected to deal with rednecks. In response to CHS3’s text message, CALLOWAY responded, “InshaALLAH[], we will kill these crackers one day ahki! I beg ALLAH for the death of these devils. Ttyl ahki.”

47. On or about February 18, 2017, CHS3 sent a text message to CALLOWAY at 202-600-0511 asking how CALLOWAY was doing. In response to CHS3's text message, CALLOWAY replied, "I'm good ahki. Trying to stay away from the Kuffar."

48. On or about March 6, 2017, CHS3 sent a text message to CALLOWAY at 202-600-0511 stating "kuffar don't have any morals they cheat each other all day so you know what they think of us". In response to CHS3's text message, CALLOWAY responded, "Naam.<sup>8</sup> I hate these Kuffar. Not only are they nasty, they are filthy and stupid. InshaALLAH, their time is coming. Cracker Trump just issued another Ban on 7 Muslim countries. InshaALLAH, the end is near!"

49. On or about March 8, 2017, CHS3 sent a text message to CALLOWAY to tell CALLOWAY that CHS3 was stopped at an ICE checkpoint supposedly because CHS3 was Muslim. In response to CHS3's text message, CALLOWAY responded, "As salaam alaikum ahki! InshALLAH, we remain vigilant. InshALLAH, we will talk."

50. On or about March 10, 2017, CHS3 informed CALLOWAY that CHS3 was bringing CHS3's brother two M-16 rifle magazines because CHS3's brother was interested in purchasing a weapon. In response to CHS3's comment, CALLOWAY stated he used to shoot the M-16 rifle when he was in the United States Marine Corps. CHS3 informed CALLOWAY that guns are everywhere in in the state in which CHS3 is from, that is not the District of Columbia.

51. On or about March 31, 2017, CHS3 and CALLOWAY met. CHS3 complained to CALLOWAY about skinheads and stated to CALLOWAY that you would not want to kill them all. CALLOWAY responded to CHS3 by stating how skinheads were "Satan." Referring to firearms, CHS3 told CALLOWAY, "That is why I like to keep my things with me." Understanding

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<sup>8</sup> Your affiant understands this term to mean correct.

CHS3 was referring to guns, CALLOWAY told CHS3 that he had been meaning to talk to CHS3 about that. Continuing the conversation, CHS3 informed CALLOWAY that CHS3 was from the South and already had weapons. Additionally, CHS3 told CALLOWAY that CHS3 could get additional weapons for \$200.00. CALLOWAY told CHS3, "Yeah, I want one of those." While CHS3 and CALLOWAY watched television in CHS3's apartment, a Cable News Network Documentary about ISIS titled, "ISIS: Behind the Mask" aired on television. As CHS3 and CALLOWAY watched the documentary, a man in the film demonstrated how to operate an AK-47 rifle. CALLOWAY expressed interest in obtaining an AK-47 and told CHS3 that he wanted an AK-47.

52. CHS3 stated to CALLOWAY CHS3 could get any weapon except a Belgian made pistol. CHS3 went on to tell CALLOWAY that guns in North Carolina are cheap except the AK because the "kuffar want them." CHS3 told CALLOWAY that CALLOWAY had to be on the offensive because there is no need to be on the defensive because they (non-Muslims) have the upper hand. Referring to an AK-47, CALLOWAY again stated he wanted one of "those." CHS3 told CALLOWAY that CHS3 could get CALLOWAY an AK-47 for \$200, but it would not be new or fully automatic CALLOWAY informed CHS, "I will pay you \$100.00 next week." Additionally, CHS3 informed CALLOWAY that CHS3 only could get one "clip" for the AK-47. CALLOWAY responded, "one clip is better than no clips." CHS3 stated to CALLOWAY for \$150.00, CHS3 could get a fully-automatic AK-47. CALLOWAY then arranged a payment plan where CALLOWAY would pay CHS3 to acquire an AK-47 for CALLOWAY. CALLOWAY told CHS3 he would be pay CHS3 \$100.00 on April 7, 2017, and CALLOWAY would pay the remaining \$100.00 on April 14, 2017.

53. On or about March 31, 2017, CALLOWAY and CHS3 continued to watch the ISIS documentary on CNN. A scene in the documentary showed five or six men, on the ground, wearing orange jumpsuits, and waiting to be beheaded by ISIS fighters. After the beheading, CHS3 yelled, "Allah Akbar." CALLOWAY responded "I'm glad you caught that because the Kuffar would not catch that," which your affiant believes was an appreciation of CHS3's sympathy toward ISIS and a dislike of the documentary journalist's feelings toward the beheadings. At the end of the documentary, CHS3 told CALLOWAY that CHS3 wanted to travel to fight for ISIS, but the cost of traveling was too much. CALLOWAY told CHS3 he thought about it too, but he could not afford the cost of travel. After the documentary, CALLOWAY told CHS3 he was "tired." CHS3 assessed that when CALLOWAY stated he was "tired" it was not in a physical sense, but rather CALLOWAY was "tired" of this world and society.

54. On or about April 1, 2017, CHS3 sent CALLOWAY a text message at 202-600-0511 stating CHS3 could sell CALLOWAY a fully automatic AK-47 for \$250.00 instead of the semi-automatic AK-47 for \$200.00. In response to CHS3's text message, CALLOWAY responded, "O.k. Maashallah! I should have the \$100, after I pay the rent next Friday. Inshallah, I will give you the other \$150, the following Friday."

55. On or about April 1, 2017, CALLOWAY spoke to CHS3 and stated he knew "ISIS brothers" on Facebook. CHS3 informed CALLOWAY that CHS3 did not want to kill Muslims and that was CHS3's core problem with ISIS. In reference to traveling to join ISIS, CHS3 asked CALLOWAY if he ever thought about traveling. CALLOWAY agreed there was not a need to travel overseas to fight for ISIS and further stated there was, "[n]o need to travel because the kuffar is here."

56. On or about April 6, 2017, CALLOWAY sent a text message to CHS3 stating he might need CHS3's help because "kuffar" on Facebook were threatening him with "goons" that live in Washington, D.C. Your affiant believes CALLOWAY's response was based on an argument CALLOWAY was involved in with a female Facebook associate.

57. On or about April 7, 2017, CALLOWAY met with CHS3 and told CHS3 that he was going to give CHS3 \$60.00 as an initial payment for the AK-47. CHS3 agreed and told CALLOWAY that CHS3 was going to try and get CALLOWAY extra clips and little bit of ammo. CALLOWAY told CHS3 that way he (CALLOWAY) can use the AK-47. CALLOWAY stated he did not want to use the AK-47 on "unworthy kuffar" and wanted to use the AK-47 on "crackers." CHS3 took CALLOWAY to an ATM and CALLOWAY withdrew money. CALLOWAY paid CHS3 \$60 and confirmed with CHS3 that CALLOWAY still owed \$190.00. After CALLOWAY paid CHS3 the \$60.00, CALLOWAY appeared thankful and said that CHS3 it was doing him (CALLOWAY) a favor.

58. On April 14, 2017, CHS3 and CALLOWAY met and CHS3 showed CALLOWAY a picture of the AK-47 that CHS3 had agreed to sell CALLOWAY. In response to viewing the picture of the AK-47, CHS3 reported that CALLOWAY appeared enthusiastic and was smiling. Additionally, CALLOWAY informed CHS3 the AK-47 CHS3 showed him was a Chinese variant and the weapon was "made for abuse." CHS3 asked CALLOWAY what would be the best way to do something since CALLOWAY was in the military and knows the "kuffar tactics." In response to CHS3's question, CALLOWAY told CHS3 he would do coordinated assaults like the Vietcong did. CALLOWAY later told CHS3, "That's what you do... simultaneously have everybody in like four man units all over the country attack police stations." CHS3 and CALLOWAY discussed further CALLOWAY's military experience and CALLOWAY informed CHS3 that he could

probably make explosives if he had the equipment. CALLOWAY returned to the conversation about the Vietcong and told CHS3, "But yeah, just an all-out assault on police stations, any police cruisers, everybody just like ... an offensive....like the Tet Offensive, they went full force even if they died. Just bam, bam, bam; Ambush and everything. Ain't no talking with them, just gotta go."

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59. On or about April 22, 2017, CHS3 and CALLOWAY met. CALLOWAY indicated he expected to pay the remaining \$190 on April 28, 2017. CHS3 confirmed with CALLOWAY that once CHS3 receives full payment, CHS3 would make arrangements to transport the firearm from another state, and that CALLOWAY could expect delivery of the AK-47 on or about May 4, 2017.

60. On or about April 28, 2017, CHS3 and CALLOWAY communicated with each other using text message, and CALLOWAY indicated to CHS3 that he (CALLOWAY) had the remaining balance of \$190 for the AK-47. Later in the day, CHS3 met with CALLOWAY in the District of Columbia, and CALLOWAY provided CHS3 \$190 for the firearm. CALLOWAY confirmed with CHS3 that CHS3 could bring the AK-47 the following week. CALLOWAY informed CHS3 the reason he (CALLOWAY) is getting the AK-47 is because CALLOWAY has to be ready to do something here. CHS3 asked CALLOWAY what he planned to do. CALLOWAY responded he has to go to the police and he does not want to target "brothers" but stated, "if they

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<sup>9</sup> On or about November 8, 2016, CALLOWAY made the following publically available Facebook post on his Facebook user identification 100001284557457 account: "Some of the greatest opponents of the Colonial Amerikkkan force's, were the Vietcong. A people's guerilla army, that also defeated the French savages. The modern day equivalent of this army is ISIS. They fight to the death. A lot of people post and talk tough, but I am a veteran. I have been trained to do it. I also have a short temper, so attempting to belittle me, or emasculate me, by attacking my manhood, may get you a quick trip to the grave yard, and depending upon my mood, I won't care if you have a penis, or not."

don't get out of the fucking way..." CALLOWAY continued by naming the Washington, D.C. Metropolitan Police Department's First District and that he is aware that there are Muslims who work for that District. CHS3 asked CALLOWAY where First District was located. CALLOWAY told CHS3 First District was located near CALLOWAY's work near Pennsylvania Avenue.

61. On the evening of May 4, 2017, the FBI is planning to have CHS3 deliver an AK-47 firearm to CALLOWAY in the District of Columbia. If CALLOWAY possesses the firearm at that time, or any time until May 5, 2017 at 9 AM, law enforcement authorities will execute this search warrant. Depending upon the circumstances, the agents may wait some limited period of time before executing the search warrant. This anticipatory search warrant will not be executed if the firearm is not possessed by CALLOWAY.

**CALLOWAY'S FACEBOOK POSTS FOLLOWING MARCH 31, 2017**  
**CONVERSATIONS WITH CHS3**

62. Following the March 31, 2017 meeting when CALLOWAY agreed to purchase an AK-47 rifle from CHS3, CALLOWAY made the following publically available Facebook posts on his Facebook user identification 100013342175706 account:

a. On or about March 31, 2017, CALLOWAY made the following post on Facebook account 100013342175706: "MaashaALLAH. I just had a good visit with my Muslim neighbor. This is trouble for the nonbelievers. ALLAHu akbar. This is the nonporkeating section."

b. On or about March 31, 2017, CALLOWAY made the following post on Facebook account 100013342175706: "If you are not following ALLAH! You are following the devil."

c. On or about April 1, 2017, CALLOWAY made the following post on Facebook account 100013342175706: "When this race war kicks off, we ain't just slaughtering the Neanderthal. We are executing coons too. I call it "coon" hunting with an AK-47!"

d. On or about April 1, 2017, CALLOWAY made the following post on Facebook account 100013342175706: "I have always been popular, and loved, yet I just want to kill with impunity."

e. On or about April 1, 2017, CALLOWAY made the following post on Facebook account 100013342175706: "Weapon of choice: Machete, AK-47, hands, penis"

f. On or about April 1, 2017, CALLOWAY made the following post on Facebook account 100013342175706: "I'm never bored because at any moment, your last, shall be your first. Transitioning soon."

g. On or about April 1, 2017, CALLOWAY made the following post on Facebook account 100013342175706: "I'm not going to divulge my "state secrets"! Just know that when World War 3 occurs, along with a race war, I will be ready."

h. On or about April 1, 2017, CALLOWAY made the following post on Facebook account 100013342175706: "I'm surrounded by weakness and evil. The push back is coming."

i. On or about April 1, 2017, CALLOWAY made the following post on Facebook account 100013342175706: "Sharia law is coming, worldwide."

j. On or about April 1, 2017, CALLOWAY made the following post on Facebook account 100013342175706: "Rage against the machine."

k. On or about April 1, 2017, CALLOWAY made the following post on Facebook account 100013342175706: "Pray for Belgium. Pray for France. Pray for the British, but who prayed for the victims of these white countries enslavement of the Melaninated people of the earth? Fuck England. Fuck France. Fuck Belgium."

l. On or about April 1, 2017, CALLOWAY made the following post on Facebook account 100013342175706: “White devils say that ISIS is placing bombs in laptops. I say, “war is never pretty, and you ain’t seen nothing yet”!”

m. On or about April 1, 2017, CALLOWAY made the following post on Facebook account 100013342175706: “ISIS is getting more advanced. Subanallah<sup>10</sup>.”

n. On or about April 1, 2017, CALLOWAY made the following post on Facebook account 100013342175706: “Yes, we are the chosen, children of Israel, yet, because of our constant disobedience, and dereliction of the covenant, ALLAH sent the miracle, of the Qur’an, to the prophet Muhammad PBUH, sealing any further law. So we follow the Qur’an and Sunnah, which is for all that testify of the one. TMH. WE ARE ALL THE ABOVE, BUT WE SHALL DIE MUSLIMS.”

o. On or about April 2, 2017, CALLOWAY made the following post on Facebook account 100013342175706: “Final solution: exterminate the walking devils! Like Hitler.”

p. On or about April 2, 2017, CALLOWAY made the following post on Facebook account 100013342175706: “Greet your brother with the greetings of peace(salaam) during wartime, and if he reciprocated the peace, then he is your brother, yet, if he does not, then he is your enemy, and if he is your enemy, then slaughter him for this is wartime.”

q. On or about April 4, 2017, CALLOWAY made the following post on Facebook account 100013342175706: “Metro attack in Russia<sup>11</sup>. Wallahi<sup>12</sup>. It is coming!”

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<sup>10</sup> Your affiant understands this term to mean glory be to God.

<sup>11</sup> On April 3, 2017, a terrorist attack using an explosive device took place on the Saint Petersburg Metro in Russia. 15 people died in the attack and 45 additional people were injured.

<sup>12</sup> Your affiant understands this term to mean I swear by God.

r. On or about April 5, 2017, CALLOWAY “shared” the following post on Facebook account 100013342175706: “The west continues their standard response to the murder of Muslims. Finger pointing and “tough” words. Yet only the mujahideen<sup>13</sup> will defend the ummah<sup>14</sup> for they are not afraid of death because they know they will be judged for their actions by Allah subhana wa taala<sup>15</sup>. Bless the mujaideen!”

s. On or about April 6, 2017, CALLOWAY “shared” the following post on Facebook account 100013342175706: An article from The Atlantic Magazine titled, “The American Climbing the Ranks of ISIS.”

t. On or about April 6, 2017, CALLOWAY made the following post on Facebook account 100013342175706: “It’s coming.”

u. On or about April 6, 2017, CALLOWAY made the following post on Facebook account 100013342175706: “Talk is cheap. When it happens, it happens, and ALLAH IS CERTAINLY REAL.”

v. On or about April 6, 2017, CALLOWAY shared the following post on another person’s Facebook account: “May Allah protect the muslims all over the world. If any of us should die do to the anti islamic aggression of the kuffar then may Allah Grant them us the death of a martyr.”

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<sup>13</sup> Your affiant understands this term to mean one engaged in a jihad, especially as a guerilla warrior.

<sup>14</sup> Your affiant understands this term to mean the whole community of Muslims in the world.

<sup>15</sup> Your affiant understands this term to mean glory be to Him, He the most high.

w. On or about April 9, 2017, CALLOWAY made the following post on Facebook account 100013342175706: “When you behave as a kaffir, you will receive the same punishment as the kaafir!”

**CALLOWAY’S FACEBOOK POSTS FOLLOWING CHS3 SHOWING  
CALLOWAY A PICTURE OF THE AK-47**

63. Following the March 31, 2017, meeting when CALLOWAY agreed to purchase an AK-47 rifle from CHS3, CALLOWAY met with CHS3 on April 14, 2017 in CHS3’s residence. During that conversation, CHS3 showed CALLOWAY a photograph of the AK-47 for which CALLOWAY had made a down payment, and which CHS3 would deliver after full payment was made. Following that display, CALLOWAY made the following publically available Facebook posts on his Facebook user identification 100013342175706 account:

a. On or about April 14, 2017, CALLOWAY made the following post on Facebook account 100013342175706: “Warning: war is imminent! I have prepared all my life for this! Most of you could never even fathom the preparation entailed for this precaution.”

b. On or about April 14, 2017, CALLOWAY made the following post on Facebook account 100013342175706: “When this war comes, I’m going on a killing/cannibal spree!”

c. On or about April 14, 2017, CALLOWAY made the following post on Facebook account 100013342175706: “Most of you fear death, as you fear the truth, and both are fatally related for fools!”

d. On or about April 14, 2017, CALLOWAY made the following post on Facebook account 100013342175706: “You pork eaters aint see nothing yet.”

e. On or about April 14, 2017, CALLOWAY made the following post on Facebook account 100013342175706: “Most of you are stupid. Just get out of my way on Judgment day.”

f. On or about April 14, 2017, CALLOWAY made the following post on Facebook account 100013342175706: “150 push-ups! 50 pull-ups! Ak in route! Machete on deck! I’m slaughtering anybody that ain’t Muslim in these last days.”

g. On or about April 14, 2017, CALLOWAY made the following post on Facebook account 100013342175706: “I can’t wait to see you all faces in this war.”

h. On or about April 14, 2017, CALLOWAY made the following post on Facebook account 100013342175706: “Only children, lunatics, and wombmen, don’t prepare for war, in seclusion. Anybody can be seen at the gym, showing off, but what the fuck are you dumb fucks doing in preparation for combat in private? Dumb fucks.”

i. On or about April 14, 2017, CALLOWAY made the following post on Facebook account 100013342175706: “Attention all military and combat veterans: Prepare for death.”

j. On or about April 14, 2017, CALLOWAY shared the following post on Facebook account 100013342175706: A picture of two Islamic Fighters with AK-47 rifles in combat that was shared from another Facebook user whose public profile picture is that of a military aged male in a desert displaying the pointer finger facing upward. This gesture is commonly used by ISIS members and supporters to communicate a shared belief there is no God but Allah and one true Caliphate.

k. On or about April 16, 2017, CALLOWAY shared the following post taken from another person’s Facebook account and posted onto his Facebook account 100013342175706: A picture of a man wearing a dark hoodie displaying the pointer finger facing upward gesture with a modern city in the background.

l. On or about April 20, 2017, CALLOWAY made the following post on Facebook account 1000013342175706: “Everything is a joke to a clown. Until someone beheads, said clown. Not so funny anymore, huh?”

m. On or about April 20, 2017, CALLOWAY made the following post on Facebook account 1000013342175706: “Soon the great killing will commence.”

n. On or about April 20, 2017, CALLOWAY made the following post on Facebook account 1000013342175706: “To the “Muslim” brother in Fresno, California, that killed 4 crackers, I have a question: why didn’t you kill those cracker police officers that arrested you?”

o. On or about April 20, 2017, CALLOWAY made the following post on Facebook account 1000013342175706: “I got the FBI watching me. O.k. Since 2015. ALLAH sees everything though. I only fear ALLAH. I fear no white, decalcified devils.”

p. On or about April 20, 2017, CALLOWAY made the following post on Facebook account 1000013342175706: “Soon, the suicide bombers will appear.”

q. On or about April 20, 2017, CALLOWAY made the following post on Facebook account 1000013342175706: “MaashaALLAH! ISIS has shot a French policeman to death, in Paris, France! This is war!”

r. On or about April 20, 2017, CALLOWAY made the following post on Facebook account 1000013342175706: “North Korea is getting ready to set it off! La ilaha ill ALLAH wa Muhammadan wa Rasululu!<sup>16</sup> The Mujahideen are ready.”

s. On or about April 30, 2017, CALLOWAY made the following post on Facebook account 100013342175706: “Just as in the United States Marine Corps, I command a small unit

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<sup>16</sup> Your affiant understands this phrase means, there is absolutely no deity worthy of worship except Allah, and Mohamed is the Messenger of Allah.

of warriors. I won't give out a number. Just know that they await my orders to strike at the devil, when Babylon least expects it."

t. On or about April 30, 2017, CALLOWAY made the following post on Facebook account 100013342175706: "Never underestimate a Marine corps veteran."

u. On or about April 30, 2017, CALLOWAY made the following post on Facebook account 100013342175706: "I'm ready to slaughter these cave dwellers."

v. On or about April 30, 2017, CALLOWAY made the following post on Facebook account 100013342175706: "Their are ISIS, Al- Qaeda, sleeper cells, all over Babylon. These pork eaters are getting ready to expire!"

w. On or about April 30, 2017, CALLOWAY made the following post on Facebook account 100013342175706: "Ak- 47! Remember this post."

#### **TECHNICAL TERMS**

64. I am familiar with the following technical terms and their usage in this search warrant application:

a. Wireless telephone: A wireless telephone (or mobile telephone, or cellular telephone) is a handheld wireless device used for voice and data communication through radio signals. These telephones send signals through networks of transmitter/receivers, enabling communication with other wireless telephones or traditional "land line" telephones. A wireless telephone usually contains a "call log," which records the telephone number, date, and time of calls made to and from the phone. In addition to enabling voice communications, wireless telephones offer a broad range of capabilities. These capabilities include: storing names and phone numbers in electronic "address books;" sending, receiving, and storing text messages and e-mail; taking, sending, receiving, and storing still photographs and moving video; storing and

playing back audio files; storing dates, appointments, and other information on personal calendars; and accessing and downloading information from the Internet. Wireless telephones may also include global positioning system (“GPS”) technology for determining the location of the device.

b. Computer: a computer is defined as used in 18 U.S.C. §1030(e)(1).

c. Computer hardware: means all equipment that can receive, capture, collect, analyze, create, display, convert, store, conceal, or transmit electronic, magnetic or similar computer impulses or data, including, but not limited to, fixed disks, external hard drives, floppy disk drives, memory storage devices, keyboards, routers, modems, scanners and printers.

d. Digital camera: A digital camera is a camera that records pictures as digital picture files, rather than by using photographic film. Digital cameras use a variety of fixed and removable storage media to store their recorded images. Images can usually be retrieved by connecting the camera to a computer or by connecting the removable storage medium to a separate reader. Removable storage media include various types of flash memory cards or miniature hard drives. Most digital cameras also include a screen for viewing the stored images. This storage media can contain any digital data, including data unrelated to photographs or videos.

e. Portable media player: A portable media player (or “MP3 Player” or iPod) is a handheld digital storage device designed primarily to store and play audio, video, or photographic files. However, a portable media player can also store other digital data. Some portable media players can use removable storage media. Removable storage media include various types of flash memory cards or miniature hard drives. This removable storage media can

also store any digital data. Depending on the model, a portable media player may have the ability to store very large amounts of electronic data and may offer additional features such as a calendar, contact list, clock, or games.

f. GPS: A GPS navigation device uses the Global Positioning System to display its current location. It often contains records the locations where it has been. Some GPS navigation devices can give a user driving or walking directions to another location. These devices can contain records of the addresses or locations involved in such navigation. The Global Positioning System (generally abbreviated “GPS”) consists of 24 NAVSTAR satellites orbiting the Earth. Each satellite contains an extremely accurate clock. Each satellite repeatedly transmits by radio a mathematical representation of the current time, combined with a special sequence of numbers. These signals are sent by radio, using specifications that are publicly available. A GPS antenna on Earth can receive those signals. When a GPS antenna receives signals from at least four satellites, a computer connected to that antenna can mathematically calculate the antenna’s latitude, longitude, and sometimes altitude with a high level of precision.

g. PDA: A personal digital assistant, or PDA, is a handheld electronic device used for storing data (such as names, addresses, appointments or notes) and utilizing computer programs. Some PDAs also function as wireless communication devices and are used to access the Internet and send and receive e-mail. PDAs usually include a memory card or other removable storage media for storing data and a keyboard and/or touch screen for entering data. Removable storage media include various types of flash memory cards or miniature hard drives. This removable storage media can store any digital data. Most PDAs run computer software, giving them many of the same capabilities as personal computers. For example, PDA users can

work with word-processing documents, spreadsheets, and presentations. PDAs may also include global positioning system (“GPS”) technology for determining the location of the device.

h. IP Address: An Internet Protocol address (or simply “IP address”) is a unique numeric address used by computers on the Internet. An IP address is a series of four numbers, each in the range 0-255, separated by periods (e.g., 121.56.97.178). Every computer attached to the Internet computer must be assigned an IP address so that Internet traffic sent from and directed to that computer may be directed properly from its source to its destination. Most Internet service providers control a range of IP addresses. Some computers have static—that is, long-term—IP addresses, while other computers have dynamic—that is, frequently changed—IP addresses.

i. Internet: The Internet is a global network of computers and other electronic devices that communicate with each other. Due to the structure of the Internet, communications between devices on the Internet often cross state and international borders, even when the devices communicating with each other are in the same state.

j. Router: A router is a wireless access point and directs traffic between computers connected to a network (whether by wire or wirelessly). A router connected to the Internet collects traffic bound for the internet from its client machines and sends requests out on its behalf. The router also distributes to the relevant client inbound traffic arriving from the internet. The router is typically connected to a modem, which translates signals for physical transmission to and from the Internet Service Provider, which then sends and receives the information to and from other computers connected to the Internet.

65. Based on my knowledge, training, and experience, I know that CALLOWAY's phones and possibly other electronic devices have capabilities that allow them to serve as a wireless telephone, digital camera, portable media player, GPS navigation device, a PDA, and can access the Internet directly and through social media applications. CALLOWAY's phones can also access the internet through a wired or wireless router or modem connected to the Internet. In my training and experience, examining data stored on devices of this type can uncover, among other things, evidence that reveals or suggests who possessed or used that device at a particular time.

66. Based on my knowledge, training, and experience, I know that electronic devices can store information for long periods of time. Similarly, things that have been viewed via the Internet are typically stored for some period of time on the device. This information can be recovered with forensic tools.

67. There is probable cause to believe that things that were once stored on the CALLOWAY phones or computers may still be stored there or in other electronic storage devices for at least the following reasons:

a. Based on my knowledge, training, and experience, I know that computer files or remnants of such files can be recovered months or even years after they have been downloaded onto a storage medium, deleted, or viewed via the Internet. Electronic files downloaded to a storage medium can be stored for years at little or no cost. Even when files have been deleted, they can be recovered months or years later using forensic tools. This is so because when a person "deletes" a file on a computer, the data contained in the file does not actually disappear; rather, that data remains on the storage medium until it is overwritten by new data. Users of cellular phones can also backup or store historic files from their phones onto computers.

b. Therefore, deleted files, or remnants of deleted files, may reside in free space or slack space—that is, in space on the storage medium that is not currently being used by an active file—for long periods of time before they are overwritten. In addition, a computer’s operating system may also keep a record of deleted data in a “swap” or “recovery” file.

c. Wholly apart from user-generated files, computer storage media—in particular, computers’ internal hard drives—contain electronic evidence of how a computer has been used, what it has been used for, and who has used it. To give a few examples, this forensic evidence can take the form of operating system configurations, artifacts from operating system or application operation, file system data structures, and virtual memory “swap” or paging files. Computer users typically do not erase or delete this evidence, because special software is typically required for that task. However, it is technically possible to delete this information.

d. Similarly, files that have been viewed via the Internet are sometimes automatically downloaded into a temporary Internet directory or “cache.”

68. Forensic evidence. As further described in Attachments B and C, this application seeks permission to locate not only electronically stored information that might serve as direct evidence of the crimes described on the warrant, but also forensic evidence that establishes how the CALLOWAY phones were used, the purpose of use, who used them, and when. There is probable cause to believe that this forensic electronic evidence might be on the CALLOWAY phones or other electronic devices and materials because:

a. Although some of the records called for by this warrant might be found in the form of user-generated documents or records (such as messages, pictures, movies or texting files), digital devices can contain other forms of electronic evidence as well. In particular,

records of how a digital device has been used, what it has been used for, who has used it, and who has been responsible for creating or maintaining records, documents, programs, applications, and materials contained on the digital devices are, as described further in the attachments, called for by this warrant. Those records will not always be found in digital data that is neatly segregable from the hard drive or other electric storage media image as a whole. Data on the storage medium can provide evidence of a file that was once on the storage medium but has since been deleted or edited, or of a deleted portion of a file (such as a paragraph that has been deleted from a word processing file. Virtual memory paging systems can leave traces of information on the storage medium that show what tasks and processes were recently active. Web browsers, e-mail programs, and chat programs store configuration information on the storage medium that can reveal information such as online nicknames and passwords. Operating systems can record additional information, such as the attachment of peripherals, the attachment of USB flash storage devices or other external storage media, and the times the computer was in use. Computer file systems can record information about the dates files were created and the sequence in which they were created.

b. Forensic evidence on a device can also indicate who has used or controlled the device. This “user attribution” evidence is analogous to the search for “indicia of occupancy” while executing a search warrant at a residence.

c. A person with appropriate familiarity with how an electronic device works may, after examining this forensic evidence in its proper context, be able to draw conclusions about how electronic devices were used, the purpose of their use, who used them, and when.

d. The process of identifying the exact electronically stored information on a storage medium that are necessary to draw an accurate conclusion is a dynamic process. Electronic evidence is not always data that can be merely reviewed by a review team and passed along to investigators. Whether data stored on a computer is evidence may depend on other information stored on the computer and the application of knowledge about how a computer behaves. Therefore, contextual information necessary to understand other evidence also falls within the scope of the warrant.

e. Further, in finding evidence of how a device was used, the purpose of its use, who used it, and when, sometimes it is necessary to establish that a particular thing is not present on a storage medium.

f. I know that when an individual uses an electronic device to contact other individuals to commit a crime, the individual's electronic device will generally serve both as an instrumentality for committing the crime, and also as a storage medium for evidence of the crime. The electronic device is an instrumentality of the crime because it is used as a means of committing the criminal offense. The electronic device is also likely to be a storage medium for evidence of crime. From my training and experience, I believe that an electronic device used to commit a crime of this type may contain: data that is evidence of how the electronic device was used; data that was sent or received; and other records that indicate the nature of the offense.

g. A digital device, such as a cellular phone, can be used as a storage medium for evidence of a crime. From my training and experience, I believe that a digital device used to commit a crime of this type may contain data that is evidence of how the digital device was used; data that was sent or received; notes as to how the criminal conduct was achieved; records of

Internet discussions about the crime; and other records that indicate the nature of the offense and the identities of those perpetrating it. Searching a digital device can be an extremely technical process, often requiring specific expertise, specialized equipment, and substantial amounts of time. There are so many types of digital devices and software programs in use today that it is impossible to bring to the search site all for the necessary technical manuals, specialized equipment, and software programs necessary to conduct a thorough search.

h. Analyzing the contents of cellular phones can also be very labor intensive and require additional technical skill. Additionally, most cellular phones are smart phones which require passwords for access. For example, even older iPhone 4 models, running IOS 7, deployed a sophisticated encryption which could only be bypassed with a numeric code. Newer cellular phones employ equally sophisticated encryption rendering smart phones inaccessible without highly sophisticated forensic tools and techniques or assistance from the phone manufacturer. Digital data is also particularly vulnerable to inadvertent or intentional modification or destruction. The volume of data stored on many digital devices will typically be so large as to be extremely impractical to search for data during the physical search of the premises. Smart phones capable of storing 64 gigabytes and more of data are now commonplace. Consequently, one device might contain enormous amounts of data

69. *Nature of examination.* Based on the foregoing, and consistent with Rule 41(e)(2)(B), the warrant I am applying for would permit the seizure and forensic examination of any electronic device consistent with the warrant. The examination may require authorities to transport any seized electronic device or material containing electronic data to a law enforcement premises and facilities and to employ techniques which may take weeks or months to complete, including but not limited to computer-assisted scans of the entire medium, that might expose many

parts of the device to human inspection in order to determine whether it is evidence described by the warrant. In light of these difficulties, your affiant requests permission to use whatever data analysis techniques reasonably appear to be necessary to locate and retrieve the digital information, records, or evidence within the scope of this warrant, including all reasonable efforts to locate hidden, deleted, and encrypted files.

### CONCLUSION

70. I submit that this affidavit supports probable cause for an anticipatory search warrant that, in the event that CALLOWAY takes possession of the firearm, authorizes the FBI to search the ITEMS TO BE SEARCHED described in Attachment A and seize the items described in Attachments B and C, and to use forensic tools to search electronic devices and cellular phones as described above and further described in Attachment C.

71. The government further requests to share the information obtained from this search (to include copies of digital media) with any government agency investigating, or aiding in the investigation of, this case or related matters.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

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Adam C. Pool  
Special Agent  
Federal Bureau of Investigation

Sworn and subscribed to me this \_\_\_\_ day of May, 2017

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Honorable G. Michael Harvey  
United States Magistrate Judge

**ATTACHMENT A**

The property to be searched is CALLOWAY's primary address, 66 Webster Street, Apt. 102, NE, Washington, D.C. 20011, and two phones, a SAMSUNG SM G530AZ (IMEI:3556360701168609) and a SAMSUNG SM J320AZ (IMEI: 3565190762314405).

The apartment building is a red brick, two story apartment building located at 66 Webster Street, N.E., in Washington, D.C. The front door of the apartment is off-white to light gray in color with a brass knocker that lists the apartment number as 102.

This warrant authorizes the forensic examination of the two phones for the purpose of identifying and seizing the electronically stored information described in Attachment B. This warrant also authorizes the seizure and search of items described in Attachment C, and also authorizes the forensic examination of any electronic devices or computers recovered from the APARTMENT for the purpose of identifying and seizing electronically stored information described in Attachment C.

**ATTACHMENT B**

1. All information on the CALLOWAY phones (*see* Attachment A) that relates to violations of 18 U.S.C. §§ 922(g), and 924(b), including information that involves Clark Calloway, between May 1, 2013, and the present, including:
  - a. Information or communications that refer or relate to the purchase of firearms or any other weapons;
  - b. Photographs, images, recordings or videos reflecting violations of federal law, including images showing support for terrorist and extremist groups, weapons, firearms, or places and locations visited, examined, studied, or reconnoitered;
  - c. Information, photographs, images, and material that identify locations, or places that may be used to store, keep, or stash contraband;
  - d. Information related to Calloway's objective and subjective state of mind, including information related to his prior or current medical health, medication, and mental health;
  - e. Information, videos, photographs, material, or communications that refer or relate to Calloway's motives to acquire a weapon, including, but not limited to, injuring, assaulting, harming, threatening, or killing other individuals;
  - f. Information, videos, photographs, material, or communications that refer or relate to extremist groups, including any association with, or support for, or membership in, such groups, and any information relating or referring to extremist ideology;



entered into any Internet search engine, and records of user-typed web addresses;

and

- c. records relating to CALLOWAY's access and messaging other communication or social media accounts.

As used above, the terms "records" and "information" include all of the foregoing items in whatever form and by whatever means they may have been created or stored, including any form of computer or electronic storage (such as flash memory or other media that can store data) and any photographic form.

**ATTACHMENT C**

1. All information and material in the CALLOWAY residence that relates to Federal firearm violations, including violations of 18 U.S.C. §§ 922(g), and 924(b), including information and material that involves Clark Calloway, between May 1, 2013 and the present, including:

- a. Firearms and related items, including firearms, firearm cleaning kits, firearm storage, ammunition, firearms training manuals and literature;
- b. Any weapon, bomb, explosive, toxin, destructive device, or any material or items which can be used to facilitate, prepare, or make a bomb, explosive, toxin, or destructive device, including, but not limited to timing devices, detonator caps, wiring, fuses, and ordinary household materials which are, or could be made, explosive, dangerous, or toxic.
- c. Information, documents, correspondence, and images, including video, demonstrating the possession, use, sale, discussion, purchase, attempted purchase, or transfer of any weapon, explosive, bomb, or destructive device;
- d. Blades, sharp objects, and related items that could be used as weapons, including but not limited to, machetes, knives, martial-arts weapons, and cases or slings that could carry and hold an edged weapon;
- e. Papers, documents, electronic data, receipts, images, photographs, and videos, including computers and electronic devices containing electronic data and communications, which contain information related to the possession or use of

weapons, bombs, explosives, destructive devices, or the involvement of other possible conspirators, including material contained in electronic devices, including computers, mobile communications devices, tablets, routers, PDAs, and portable electronic media;

- f. Manuals, literature, notes, computers and electronic devices containing electronic data and communications, and documents referring to the use of a firearm, blade, explosive, bomb, destructive device, or weapon, or that relate to CALLOWAY's motives to acquire a weapon, explosive, bomb or destructive device, including but limited to injuring, assaulting, harming, threatening, or killing other individuals;
- g. Books, manuals, literature, notes, computers and electronic devices containing electronic data and communications, and documents that discuss or relate to encouraging or espousing attacks against persons in the United States or elsewhere;
- h. Books, manuals, flags, literature, notes, computers and electronic devices containing electronic data and communications, propaganda, images, and documents referencing or relating to a foreign or domestic terrorism group.
- i. Photographs, images, recordings, or videos, electronic or otherwise, showing identity, weapons, firearms, or places and locations visited, examined, studied, or reconnoitered;
- j. Information, photographs, images and material, electronic or otherwise stored in computers and electronic devices containing electronic data and communications,

that identify locations or places which may be used to store, keep, or stash contraband;

- k. Information about items that could be used to store and communicate with other individuals related to the offenses, such as computers, laptops, tablets, routers, PDAs, electronic storage media, and electronic communication devices, including, but not limited to, evidence of possession and control of these items, identity of the users of these devices, and related passwords and modes of entry and access;
- l. Information about items that could be used to navigate the internet to search for information related to the offenses, such as computers, laptops, tablets, routers, PDAs, electronic storage media, and electronic communication devices including, but not limited to, passwords, identification numbers, IP addresses, and attachments;
- m. Calendars, journals, diaries, or other documents, electronic or otherwise, discussing, referencing or recording Calloway's schedule, visits, trips, transportation, planning, or travel from his home to any other location, from May 1, 2013 to the present;
- n. Information that refers or relates to Calloway's contacts or communications with other associates, confederates and possible witnesses, including, but not limited to, messages, electronic mail, address books, account information, contact lists, toll records, receipts, financial statements, address books, photographs, videos,

information contained on messaging applications and social media, and travel records.

2. All financial documents, electronic or otherwise, that could relate to the use of assets to obtain contraband, communicate with conspirators, or materially support organizations that support foreign or domestic terrorism, including, but not limited to documents, material, and data related to Calloway's transfer, receipt, deposit, or disposition of assets and money, ATM receipts, keys to safes or deposit boxes, financial and payment statements, invoices, bank statements, debit cards, credit cards, bank cards, electronic currency (i.e. Bitcoins), and passwords to financial accounts.

3. Medication, narcotics, or prescription drugs which can effect mental health or state of mind.

4. 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.
5. Any routers, modems, and network equipment that could be 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" above 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.