

FILE COPY

AO 93 (Rev. 12/09) Search and Seizure Warrant

UNITED STATES DISTRICT COURTfor the
Western District of Wisconsin

In the Matter of the Search of

Information associated with Yahoo Email Accounts
joshuaray.vanhaften@yahoo.com;
shuajacksonroberts@ymail.com; shuaray@yahoo.com

Case No. 14-mj-137

SEALED**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 Northern District of California.

See Attachment A.

The person or property to be searched, described above, is believed to conceal:

See Attachment B.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the information described in Attachment B.

YOU ARE COMMANDED to execute this warrant on or beforeNOVEMBER 26, 2014

(not to exceed 14 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 Stephen L. Crocker or United States Magistrate Judge Peter Oppeneer.

☒ 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 30 days (not to exceed 30).☐ until, the facts justifying, the later specific date of _____.

Date and time issued:

NOVEMBER 12, 2014 AT 12:35

Judge's signature

Magistrate Judge Stephen L. Crocker or
Magistrate Judge Peter A. Oppeneer

Madison, Wisconsin

Case No.:	Date and time warrant executed:	Copy of warrant and inventory left with:
Inventory made in the presence of :		
Inventory of the property taken and name of any person(s) seized:		
Certification		
<p data-bbox="99 1367 1419 1440"><i>I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.</i></p> <p data-bbox="99 1541 451 1577">Date: _____</p> <p data-bbox="992 1566 1273 1598">_____ Executing officer's signature</p> <p data-bbox="1024 1656 1243 1688">_____ Printed name and title</p>		

ATTACHMENT A

Property to Be Searched

This warrant applies to information associated with joshuaray.vanhaften@yahoo.com, shuajacksonroberts@ymail.com, and shuaray@yahoo.com that is stored at premises controlled by Yahoo, Inc., a company that accepts service of legal process at 701 First Avenue, Sunnyvale, California, 94089.

ATTACHMENT B

Particular Things to be Seized

I. Information to be disclosed by Yahoo, Inc. (the "Provider")

To the extent that the information described in Attachment A is within the possession, custody, or control of the Provider, including any emails, records, files, logs, or information that has been deleted but is still available to the Provider, or has been preserved pursuant to a request made under 18 U.S.C. § 2703(f), the Provider is required to disclose the following information to the government for each account or identifier listed in Attachment A:

a. The contents of all e-mails associated with the account, including stored or preserved copies of e-mails sent to and from the account, draft e-mails, the source and destination addresses associated with each e-mail, the date and time at which each e-mail was sent, and the size and length of each e-mail;

b. All records or other information regarding the identification of the account, to include full name, physical address, telephone numbers and other identifiers, records of session times and durations, the date on which the account was created, the length of service, the IP address used to register the account, log-in IP addresses associated with session times and dates, account status, alternative e-mail addresses provided during registration, methods of connecting, log files, and means and source of payment (including any credit or bank account number);

c. The types of service utilized;

d. All records or other information stored at any time by an individual using the account, including address books, contact and buddy lists, calendar data, pictures, and files;

e. All records pertaining to communications between the Provider and any person regarding the account, including contacts with support services and records of actions taken.

II. Information to be seized by the government

All information described above in Section I that constitutes fruits, evidence and instrumentalities of violations of Title 18, United States Code, Section 2339B, which criminalizes among other things, providing material support to a Designated Foreign Terrorist Organization involving "joshuaray.vanhaften@yahoo.com, shuajacksonroberts@ymail.com, and shuaray@yahoo.com" between the dates of April 1, 2014 and October 26, 2014 including, for each account identified on Attachment A, information pertaining to the following matters:

a. Any and all communications regarding or information about Syria, Iraq, Afghanistan, Islamic State of Iraq and the Levant (ISIL), Islamic State of Iraq and al-Sham (ISIS), the Islamic State of Iraq and Syria (ISIS), ad-Dawla al-Islamiyya fi al-'Iraq wa-sh-Sham, Daesh, Dawla al Islamiya, and Al-Furqan Establishment for Media Production, Jihad, martyrdom, hijrah;

b. Any and all communications regarding the travel plans or general movements of persons communicating with or using the account listed in Attachment A or their associates;

c. Any and all communications involving the use or acquisition of weapons and explosives, and military type training, including training on the use or manufacture of weapons or explosives;

d. Any and all communications involving the physical location of the communicants and their associates;

e. Any and all communications regarding the remittance or transfer of money;

f. Any and all communications involving operational security and the use of other more secure means of communication used by the communicants or their associates;

g. Any and all communication involving the creation and distribution of propaganda, or other media used to radicalize and recruit extremists;

h. Any and all communication involving the radicalizing and recruiting of persons for the purpose of militant jihad on behalf of a terrorist group, or group otherwise engaged in terrorist activity;

i. Any and all communications involving the provision of material support or resources to terrorists (including the provision of man power or personnel);

j. Any and all records relating to who created, used, or communicated with the account or identifier, including records about: (1) their identities and whereabouts; (2) account histories; and (3) billing—to include “log on” and “log off” times.

UNITED STATES DISTRICT COURT

for the
Western District of Wisconsin

In the Matter of the Search of

Information associated with Yahoo Email
Accounts joshuaray.vanhaften@yahoo.com;
shuajacksonroberts@ymail.com;
shuaray@yahoo.com

Case No. 14-mj-137

SEALED

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:

See Attachment A.

located in the Northern District of California, there is now concealed:

See Attachment B.

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

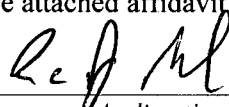
- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☐ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

<i>Code Section</i>	<i>Offense Description</i>
Title 18, United States Code Section 2339B	Providing material support or resources to Designated Foreign Terrorist Organizations.

The application is based on these facts: See attached Affidavit.

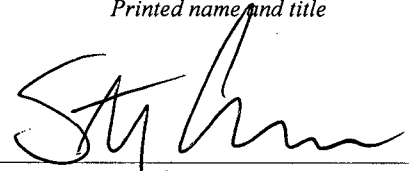
☒ Delayed notice 30 days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth in the attached affidavit.


Applicant's signature

FBI Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: November, 2014


Judge's signature

Madison, Wisconsin

Magistrate Judge Stephen L. Crocker or
Magistrate Judge Peter A. Oppeneer

AFFIDAVIT

STATE OF WISCONSIN)

) ss.

SEALED

COUNTY OF DANE)

Eric Roehl, being duly sworn on oath, deposes and states as follows:

INTRODUCTION AND AGENT BACKGROUND

1. This affidavit is submitted in support of an application for a search warrant for information associated with certain email addresses that are stored at premises owned, maintained, controlled, or operated by Yahoo, Inc., an e-mail provider headquartered at 701 First Avenue, Sunnyvale, California, 94089. The information to be searched is described in the following paragraphs and in Attachment A. This affidavit is made in support of an application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A) to require Yahoo, Inc., to disclose to the government copies of the information (including the content of communications) further described in Attachment B.

2. I am a Special Agent with the Federal Bureau of Investigation ("FBI"), and have been since March 2011. I am currently assigned to the Madison Resident Agency ("RA") of the Milwaukee Division. Within the Madison RA, I am assigned to the Joint Terrorism Task Force. Prior to my assignment with the Joint Terrorism Task Force, I was assigned to the FBI's Counterterrorism Division from September 14, 2008, to March 25, 2011. During this time, I was a FBI intelligence analyst responsible for assisting field offices with investigations of unknown and suspected terrorist subjects. Throughout my career with the FBI, I have assisted in multiple criminal investigations and participated in numerous search warrants related to such investigations. As a Special

Agent with the FBI, it is part of my duties to investigate violations of federal criminal law, including violations of Title 18, United States Code, Section 2339B, which criminalizes among other things, providing material support to a Designated Foreign Terrorist Organization. Moreover, as an FBI Special Agent, your affiant is also authorized to investigate violations of the laws of the United States generally and to execute search and seizure warrants issued under the authority of the United States.

3. It is my experience that individuals providing material support or resources to terrorist organizations will maintain records online and utilize numerous Internet programs. It is also my experience that these same individuals use the Internet and all Internet instrumentalities, such as business websites, e-mail, social media, and other Internet-based programs to conduct, promote and facilitate their illegal activities. Common places for such instrumentalities of the crime to be stored include electronic mail ("e-mail") properties such as e-mail folders, photos, briefcases, and address books.

4. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not necessarily set forth all of my knowledge about this matter.

5. Based on your affiant's training and experience and the facts set forth in this affidavit, there is probable cause to believe that Joshua Van Haften has used the electronic mail accounts joshuaray.vanhaften@yahoo.com, shuajacksonroberts@ymail.com, and shuaray@yahoo.com in furtherance of violations of

Title 18, United States Code, Section 2339B which criminalizes, among other things, providing material support to a Designated Foreign Terrorist Organization, namely, the Islamic State of Iraq and the Levant. There is also probable cause to search Yahoo, Inc., more particularly described in Attachment A to this affidavit, for evidence of these crimes and contraband or fruit of these crimes as described in Attachment B within the date range of April 1, 2014 and October 26, 2014.

PROBABLE CAUSE

6. Agents attempted to contact Joshua Van Haften in August 2014 in part because of information provided to the FBI Madison Resident Agency during an interview on July 16, 2014 of Person 1, a former associate of Van Haften. Person 1 told Agents that Van Haften previously traveled to Egypt and came to the attention of the Egyptian police after a woman selling things in a marketplace did not like his verbal interaction with her, and made a complaint to the police about Van Haften taking pictures of a military facility, which is forbidden in Egypt. Person 1 said that because of Van Haften's contact with the Egyptian police, the US Embassy was notified about Van Haften. Upon notification to the US Embassy Van Haften's sex offender status was discovered and he was returned to the United States. A review of Van Haften's criminal history by your Affiant determined that Van Haften was convicted of Second Degree Sexual Assault of a Child in 1999 as well as Aggravated Battery/Intent Great Harm in 1998. Van Haften was also charged with intentionally pointing a firearm at a person in 1999. Van Haften told Person 1 that he wanted to travel to Syria and Libya

and join Jabhat Al-Nusrah.¹ On August 29, 2014, an FBI Agent interviewed Person 2 to follow-up on a complaint provided to the FBI by Person 2. Person 2 stated that on August 24, 2014, she was near the Capitol building in Madison, Wisconsin when she saw her 11-year old son talking to an unidentified man. Person 2 informed the FBI Agent that later the same evening, Person 2's son told her that the unidentified man talked about World War III, Syria, and leaving the United States to go to Syria. On September 22, 2014, the FBI Agent showed a photograph of Joshua Van Haften to Person 2 and her son and both identified the man that they saw near the Capitol building as the man in the photograph shown to them. On September 3, 2014, FBI Agents attempted to locate Van Haften at his last known address. Agents spoke with Person 3, Van Haften's former roommate at that address. Person 3 said Van Haften had been staying at their apartment sporadically for a few weeks to a month, and that Van Haften did not really have a place to stay and Van Haften paid Person 3 \$200 cash to allow him to stay at the apartment. Person 3 stated that approximately a week prior to the interview, Van Haften left for overseas and possibly Turkey. Person 3 said that Van Haften said that he did not like living in the United States and wanted to go overseas.

¹ On October 15, 2004, the United States Secretary of State designated al-Qa'ida in Iraq ("AQI"), then known as Jam'at al Tawhid wa'al-Jihad, as a Foreign Terrorist Organization ("FTO") under Section 219 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist under section 1(b) of Executive Order 13224.

On December 11, 2012, the Secretary of State amended the designation of AQI to include the following aliases: al-Nusrah Front ("ANF"), Jabhat al-Nusrah, Jabhet al-Nusra, The Victory Front, and Al-Nusrah Front for the People of the Levant.

On May 15, 2014, the Secretary of State, in response to the evolving nature of the relationships between ANF and AQI, amended the FTO designation of AQI to remove all aliases associated with al-Nusrah Front. Separately, the Secretary of State then designated al-Nusrah Front, also known as Jabhat al-Nusrah, also known as Jabhet al-Nusra, also known as The Victory Front, also known as Al-Nusrah Front for the People of the Levant, also known as Al-Nusrah Front in Lebanon, also known as Support Front for the People of the Levant, and also known as Jabaht al-Nusra li-Ahl al-Sham min Mujahedi al-Sham fi Sahat al-Jihad, as a Foreign Terrorist Organization ("FTO") under Section 219 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist entity under section 1(b) of Executive Order 13224.

7. Person 3 said that Van Haften talked about getting his passport and birth certificate and leaving and that Van Haften made comments referring to jihad. When asked to clarify his statement, Person 3 said that Van Haften folded a \$100 bill in a certain way to make the folded bill look like the New York World Trade Center Twin Towers, and folded a \$100 bill to make it look like a missile. Person 3 said that Van Haften left nothing at the apartment when he left.

8. On September 3, 2014, a Homeland Security Investigations (HSI) Agent confirmed that Van Haften left the United States on Tuesday, August 26, 2014 aboard Turkish Airlines Flight 0006 from Chicago O'Hare International Airport for Ataturk International Airport in Istanbul, Turkey. On September 8, 2014, the FBI confirmed that Van Haften had a return flight scheduled from Istanbul to Chicago on November 24, 2014 on Turkish Airlines Flight 0005. An HSI Agent reported that Van Haften was in Egypt from October 2012 to January 2014.

9. On September 22, 2014 Agents interviewed Person 4 at the FBI Madison Resident Agency. Person 4 stated he met Van Haften through a friend and allowed Van Haften to stay in his house from approximately March or April 2014 to the time Van Haften departed for Turkey in August or September 2014. Van Haften lived at Person 4's residence in Cross Plains, Wisconsin with Person 4, and Person 4's brother, and Person 5.

10. Person 4 said that Van Haften said something, possibly via text message, about going to Iraq or Afghanistan as he could only stay in Turkey for approximately 90 days.

11. Person 4 said that Van Haften said that if everything works out, he will not return to the United States. Van Haften did not elaborate on what he meant by everything working out.

12. With Person 4's consent, your affiant reviewed the Facebook page for Van Haften on Person 4's phone and noted the following posts with the following time stamp: Yesterday (09-21-2014), 3:58pm: Van Haften: "It's calling, I can smell it's perfume! Allah!!!" There was a link for a video: HD Tour of Jannah Paradise – Anwar Al Awlaki The Hereafter Series.² Van Haften also posted a link regarding an opinion that the group ISIS was created by the US Government. Your affiant reviewed a segment of the referenced "Tour of Jannah Paradise" video in which an English speaking male described what paradise looked like for worthy Muslims who went there in the afterlife.

13. Following the interview with Person 4, your affiant verified that Van Haften's personal Facebook page was entitled "JoshuaRay VanHaften," and learned that the corresponding Facebook ID for that page is "100007815096875". Your affiant was able to review the public profile associated to the Facebook page and noted that the location for Van Haften was listed as: "Kucuk Istanbul Sanliurfa Turkey."

14. On September 22, 2014, Agents interviewed Person 5 at the FBI Madison Resident Agency. Person 5 stated that he lived with Person 4 and Van Haften from the spring of 2014 until Van Haften's departure for Turkey.

² On or about July 12, 2010, pursuant to an Executive Order, Anwar Al-Awlaki (also spelled "Al-Aulaqi") was designated by the United States a "Specially Designated Global Terrorist" because of his position as a leader of Al-Queda in the Arabian Peninsula ("AQAP"), a Yemen-based terrorist group that has claimed responsibility for several terrorist acts against the United States. On or about September 20, 2011, Awlaki was killed in Yemen.

15. Person 5 described Van Haften as a non-violent individual, but there was something strange about him. Person 5 stated that Van Haften posted a two or three minute video of himself on Facebook in which Van Haften was walking on a road and Van Haften stated that it was probably the last time that he would be heard from for a while.

16. Person 5 allowed Agents to view several text messages from Van Haften on Person 5's phone. The messages were dated September 15, 2014. The following is an excerpt sent at 9:50PM: "it's all good Craig, I Ain got no problems yet, and I knew nobody but just as I assumed, I figured I would meet people b/c of my sheer knowledge about things & it'd be all good, brothers would help me, give me money, facilitate in getting me to Iraq to help take over Baghdad." In addition, in a text sent at 10:28PM from Van Haften in response to a text by Person 5 Van Haften indicated that he had arrived in Syria.

17. In late September and early October 2014, your affiant reviewed Van Haften's publicly available Facebook page. Van Haften is Facebook friends with Adouw At-Taghout, whose profile indicated he lived in Raqqa, Syria which based on training and experience, your affiant knows is a Syrian stronghold for ISIL. On or about October 5, 2014, Adouw At-Taghout posted the following: "The next brother that likes a pic of Asian women's aurah and it shows on my news I'm blocking ok." Van Haften responded to the post with the following "Yeah, since I've befriended you and a few other militant style brothers, as I'm seeking; many other Muslims started to befriend me, that are associated from your mutual friends. But their agenda is definitely not

what I'm seeking, so I unfollow them." At-Taghout also posted the following: "What scares the living daylight out of the enemies is Martyrdom operations These attacks have been proven to be very effective against the Enemies, in particular the American cowards!" Van Haften "liked" the post made by At-Taghout.

18. Your affiant reviewed Van Haften's Facebook page on October 1, 2014 and noted that Van Haften "liked" the group Ansar Bayt al-Maqdis (ABM).³ On October 1, 2014, At-Taghout wrote "To you they may be Isis or isil but to us it's the #Islamic State. The blessed land to where the best of Allah's slaves will be gathered." On or about September 30, 2014, Adouw At-Taghout posted the following: "What's wrong with being radicalized? Being radicalized is by far better than being brain dead!!" Van Haften "liked" this post as well. On September 30, 2014, At-Taghout posted a photo of the ISIL beheading of James Foley. Van Haften wrote the following comments as a response to the post: "Yet, their cursed secular laws are worse than the laws of Islam, and they want to say Shari'ah is worse than their secular laws. A bunch of morons sucking on melons." "If the goddam Americans and sons of satan, Israeil wanna mutilate the dead, shit, we get an eye for an eye fool. Grow a set of nuts! Climb that fuckin tree and getcha some." Van Haften "liked" the following post made by At-Taghout on September 30, 2014: "The happiest sight for us, is to meet the enemy on the battlefield!!" On or about September 28, 2014, Adouw At-Taghout wrote "Allah sent

³ According to the Department of State's website, on April 9, 2014, the Department of State announced the designation of ABM as a Foreign Terrorist Organization (FTO). Created in 2011 following the Egyptian uprisings, ABM is responsible for attacks on Israel and security services and tourists in Egypt. ABM - who shares some aspects of AQ ideology, but is not a formal AQ affiliate and generally maintains a local focus - was responsible for a July 2012 attack against a Sinai pipeline exporting gas to Israel. ABM has also targeted government officials, including the September 2013 attempted assassination of the Egyptian Interior Minister, and the January 2014 assassination of the head of the Interior Minister's technical office. In February 2014, ABM expanded its targets to include foreign tourists, and claimed responsibility for the bombing of a tour bus in the Sinai Peninsula, killing the Egyptian driver and the three South Korean tourists.

dark clouds over #Raqqah to submerge #US and its Allies in fear. They can't bomb what they can't see. #Khilafah #islamicState."

19. On October 3, 2014, your affiant interviewed Person 6, a former roommate of Van Haften. Person 6 also employed Van Haften during the summer of 2014 as a painter for his company. During the course of the interview, Person 6 allowed Agents to view a series of Facebook messages exchanged between himself and Van Haften on October 1, 2014. Below is a verbatim excerpt:

Person 6: whats happening there going to come home some day?

Van Haften: Well, Turkey is looking like it is divided at the moment about attacking ISIS, which if they do then I'm gonna attack them.

Person 6: be carefull its not your fight stay safe

Van Haften: It's gonna be coming soon. I was about to cross to Syria the day before the Americans through Saudi and UAE, started bombing in Syria from their ships.

Person 6: Well be carefull

Van Haften: I was gonna be in the very city they bombed. But I didn't make it. Hopefully soon though. I'm not too worried, maybe at the moment it happens, but I'm kinda jumping headfirst into it. I'm tired of this life man.

Person 6: I know life suckes I'm really struggeling with every thing

Van Haften: I gotta do some courageous tho. I know, America things really suck, don't get any bad ideas like suicide tho!!!

20. On October 7, 2014, your affiant reviewed Van Haften's Facebook page which included a post made by Van Haften on October 7, 2014 that included the phrase "Ya Baghdadi!" and a video. Your affiant reviewed the video, which appeared to be a 1 minute and 50 second propaganda video for ISIL. The ISIL flag was shown several times and the video included individuals that appeared to be Islamic extremists engaging in battle. Based on my training and experience, your affiant knows that Abu Bakr al-Baghdadi is the leader of ISIL. Your affiant's review of the profile on October 7, 2014 also revealed that Van Haften "liked" the Facebook page "Support Khalifaa bagdadi." I know from my training and experience that Khalifaa Bagdadi is a reference to Abu Bakr al-Baghdadi and Khalifaa is another term for Caliph. A caliph is the leader of the Islamic Diaspora.

21. On October 14, 2014 and October 15, 2014, Van Haften engages in a series of posts with an individual on Facebook in response to that individual's post: "If you really intended, you would prepare." Van Haften goes on to respond that he needs to find a way to get to the border because Turkey is tracking everyone. Van Haften states: "And all the boys supposed to help me wanted money too! And I didn't have anything left as the man who was supposed to help me cross for free as he supposedly help those on the path to mujahideen wanted my last 100 lira. So then these young brothers took me into the country dropped me off telling me someone was gonna come & I waited 3 hours with no one showing up in the middle of nowhere." Van Haften further states: "I'm posting my whole life on here, cuz I'm sick & tired of Americas kufr, I'm finished. It's either now or never. If & when the Kuffar (slaves of America) come at me

to arrest me or take me, I'm fighting them! Fuck if they ever take me freely again!!!!!!!!!" Van Haften also posted that: "This was the road they took me down. Ended up walking with 75 kilos on my back to the nearest village, Gunderen, and there was a masjid. I slept on the porch till fajr, then the imam looked at me as strange as could be while making wudu. He offered me a blanket & let me sleep a few hours before Jumuah. But he was totally against Dawlah, so I wasn't getting any help across. He paid my way back to Istanbul tho. Alhamdulillah."

22. On October 21, 2014, your affiant obtained a search warrant for the Facebook account of Joshua Van Haften (JoshuaRay VanHaften) from U.S. Magistrate Judge Stephen L. Crocker, Western District of Wisconsin. Your affiant served this search warrant upon Facebook on October 21, 2014. Facebook provided a legal response to your affiant on October 24, 2014. Included in this legal response was account registration information for the Facebook account, JoshuaRay VanHaften. Excerpts from the JoshuaRay VanHaften Facebook account registration information are as follows: the account registration date was February 17, 2014, and the registered email addresses for the account included (1) shuajacksonroberts@ymail.com, and (2) joshuaray.vanhaften@yahoo.com.

23. Also included within the Facebook response was an image of a flight itinerary that was uploaded to the JoshuaRay Vanhaften Facebook account on September 14, 2014, at 15:02:36 UTC. This image shows flight information for Joshua Ray Van Haften in August 2014, with travel points listed as Chicago, IL, and Istanbul,

Turkey. On this flight itinerary was the email address, joshuaray.vanhaften@yahoo.com.

24. On September 30, 2014, Agents interviewed Person 7, who has been friends with Van Haften since Person 7 and Van Haften were children. Person 7 said his last email from Van Haften was on June 28, 2014, from the email address, shuajacksonroberts@ymail.com. Person 7 also received an email from Van Haften on March 19, 2013, from email account, shuaray@yahoo.com, stating that Van Haften was in Egypt.

25. On October 16, 2014, your affiant submitted a preservation letter to Yahoo, Inc., for the email account of joshuaray.vanhaften@yahoo.com.

26. On October 29, 2014, TFO Wilson submitted a preservation letter to Yahoo, Inc., for the email accounts of shuajacksonroberts@ymail.com and shuaray@yahoo.com.

DESIGNATED FOREIGN TERRORIST ORGANIZATION

27. On October 15, 2004, the United States Secretary of State designated al-Qa'ida in Iraq (AQI), then known as Jam'at al Tawhid wa'al-Jihad, as a Foreign Terrorist Organization ("FTO") under Section 219 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist under section 1(b) of Executive Order 13224. On May 15, 2014, the Secretary of State amended the designation of al-Qa'ida in Iraq ("AQI") as a Foreign Terrorist Organization ("FTO") under Section 219 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist entity 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 also added the following aliases to

the ISIL listing: the Islamic State of Iraq and al-Sham ("ISIS"), the Islamic State of Iraq and Syria ("ISIS"), ad-Dawla al-Islamiyya fi al-'Iraq wa-sh-Sham, Daesh, Dawla al Islamiya, and Al-Furqan Establishment for Media Production. Although the group has never called itself "Al-Qaeda in Iraq (AQI)," this name has frequently been used to describe it through its history. In audio recording publicly released on June 29, 2014, ISIS announced a formal change of ISIS's name to Islamic State ("IS").

28. Based on my training and experience, and based on consultation with other experienced counterterrorism investigators, your affiant believes Van Haften practiced tradecraft commonly used by terrorists by booking a ticket to Turkey, which shares a land border with Syria and has been used frequently by extremists as an entry point to wage violent jihad by joining ISIL. Van Haften has a violent criminal history to include the sexual assault of a child as well as an offense in which Van Haften pointed a firearm at a person. Van Haften stated his support for ISIL and intent to attack Turkey if they joined the fight against ISIL. Additionally, Van Haften texted Person 5 that he was in Syria and planning to go into Iraq to fight Shiites. Furthermore, Van Haften posted statements on his Facebook account referencing paradise being near and a video featuring Anwar Al Awlaki, the deceased cleric responsible for radicalizing countless extremists. Based on these posts, it is clear that Van Haften uses electronic communication methods as a means to communicate with others in the United States and abroad regarding his radical views and interest in joining a designated foreign terrorist organization, to include ISIL, in order to commit violent jihad. Based on these assertions, it is reasonable to believe that Van Haften traveled or intended to travel into

Iraq or Syria to join ISIL and to engage in violent jihad, and thereby provide material support of terrorists in violation of 18 United States Code, Section 2339B and that evidence related to these crimes exists at Yahoo, Inc.

ELECTRONIC MAIL COMMUNICATION

29. In my training and experience, and through conversations with other experienced counterterrorism investigators, I have learned that Yahoo, Inc. provides a variety of on-line services, including electronic mail (e-mail) access, to the general public. Yahoo, Inc. allows subscribers to obtain e-mail accounts at the domain name "yahoo.com," like the e-mail accounts listed in Attachment A. Subscribers obtain an account by registering with Yahoo, Inc. During the registration process, Yahoo, Inc. asks subscribers to provide basic personal information. Therefore, the computers of Yahoo, Inc. are likely to contain stored electronic communications (including retrieved and un-retrieved e-mail for Yahoo, Inc. subscribers) and information concerning subscribers and their use of Yahoo, Inc. services, such as account access information, e-mail transaction information, and account application information.

30. In general, an e-mail that is sent to a Yahoo, Inc. subscriber is stored in the subscriber's "mail box" on Yahoo, Inc. servers until the subscriber deletes the e-mail. If the subscriber does not delete the message, the message can remain on Yahoo, Inc. servers indefinitely.

31. When the subscriber sends an e-mail, it is initiated at the user's computer, transferred via the Internet to Yahoo, Inc.'s servers, and then transmitted to its end destination. Yahoo, Inc. often saves a copy of the e-mail sent. Unless the sender of the

e-mail specifically deletes the e-mail from the Yahoo, Inc. server, the e-mail can remain on the system indefinitely.

32. A sent or received e-mail typically includes the content of the message, source and destination addresses, the date and time at which the e-mail was sent, and the size and length of the e-mail. If an e-mail user writes a draft message but does not send it, that message may also be saved by Yahoo, Inc. but may not include all of these categories of data.

33. A Yahoo, Inc. subscriber can also store files, including e-mails, address books, contact or buddy lists, calendar data, pictures, and other files, on servers maintained and/or owned by Yahoo, Inc.

34. Subscribers to Yahoo, Inc. might not store on their home computers copies of the e-mails stored in their Yahoo, Inc. account. This is particularly true when they access their Yahoo, Inc. account through the web, or if they do not wish to maintain particular e-mails or files in their residence.

35. In general, e-mail providers like Yahoo, Inc. ask each of their subscribers to provide certain personal identifying information when registering for an e-mail account. This information can include the subscriber's full name, physical address, telephone numbers and other identifiers, alternative e-mail addresses, and, for paying subscribers, means and source of payment (including any credit or bank account number).

36. E-mail providers typically retain certain transactional information about the creation and use of each account on their systems. This information can include the

date on which the account was created, the length of service, records of log-in (i.e., session) times and durations, the types of service utilized, the status of the account (including whether the account is inactive or closed), the methods used to connect to the account (such as logging into the account via Yahoo, Inc.'s website), and other log files that reflect usage of the account. In addition, e-mail providers often have records of the Internet Protocol address (IP address) used to register the account and the IP addresses associated with particular logins to the account. Because every device that connects to the Internet must use an IP address, IP address information can help to identify which computers or other devices were used to access the e-mail account.

37. In some cases, e-mail account users will communicate directly with an e-mail service provider about issues relating to the account, such as technical problems, billing inquiries, or complaints from other users. E-mail providers typically retain records about such communications, including records of contacts between the user and the provider's support services, as well records of any actions taken by the provider or user as a result of the communications.

38. In my training and experience, evidence of who was using an e-mail account may be found in address books, contact or buddy lists, e-mail in the account, and attachments to e-mails, including pictures and files.

INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED

39. I anticipate executing this warrant under the Electronic Communications Privacy Act, in particular 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A), by using the warrant to require Yahoo, Inc., to disclose to the government copies of the records and other information (including the content of communications) particularly described

in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, government-authorized persons will review that information to locate the items described in Section II of Attachment B.

CONCLUSION

40. Based on the forgoing, I request that the Court issue the proposed search warrant.

41. This Court has jurisdiction to issue the requested warrant because it is “a court of competent jurisdiction” as defined by 18 U.S.C. § 2711. 18 U.S.C. §§ 2703(a), (b)(1)(A) & (c)(1)(A). Specifically, the Court is “a district court of the United States . . . that - has jurisdiction over the offense being investigated.” 18 U.S.C. § 2711(3)(A)(i).

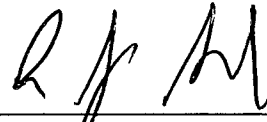
42. Pursuant to 18 U.S.C. § 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant.

43. I request that the Court order Yahoo Inc. not to notify any person (including the subscribers or customers of the account(s) listed in Attachment A) of the existence of the requested warrant until further order of the Court. Yahoo Inc. is a provider of an electronic communication service, as defined in 18 U.S.C. § 2510(15), and/or a remote computer service, as defined in 18 U.S.C. § 2711(2). Pursuant to 18 U.S.C. § 2703, I seek a warrant requiring Yahoo Inc. to disclose records and information in connection with a criminal investigation. This Court has authority under 18 U.S.C. § 2705(b) to issue “an order commanding a provider of electronic communications service or remote computing service to whom a warrant ... is directed, for such period as the court deems appropriate, not to notify any other person of the existence of the warrant ...” *Id.*

44. Here, such an order is appropriate because the requested warrant relates to an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation, and its disclosure may alert the targets to the ongoing investigation. Accordingly, there is reason to believe that notification of the existence of the requested warrant will seriously jeopardize the investigation, by endangering the life or physical safety of any person, giving targets an opportunity to flee from prosecution, destroy or tamper with evidence, intimidate potential witnesses or otherwise seriously jeopardize an investigation. See 18 U.S.C. § 2705(b).

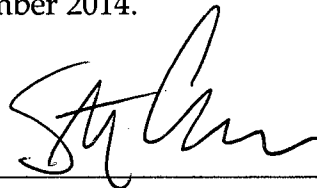
45. Based on the forgoing, I request that the Court issue the proposed search warrant. Because the warrant will be served on Yahoo Inc. who will then compile the requested records at a time convenient to it, there exists reasonable cause to permit the execution of the requested warrant at any time in the day or night.

Dated this 12th day of November, 2014.



ERIC ROEHL, Special Agent
Federal Bureau of Investigation

Sworn to before me this 12th day of November 2014.



STEPHEN L. CROCKER
United States Magistrate Judge

ATTACHMENT A

Property to Be Searched

This warrant applies to information associated with joshuaray.vanhaften@yahoo.com, shuajacksonroberts@ymail.com, and shuaray@yahoo.com that is stored at premises controlled by Yahoo, Inc., a company that accepts service of legal process at 701 First Avenue, Sunnyvale, California, 94089.

ATTACHMENT B

Particular Things to be Seized

I. Information to be disclosed by Yahoo, Inc. (the "Provider")

To the extent that the information described in Attachment A is within the possession, custody, or control of the Provider, including any emails, records, files, logs, or information that has been deleted but is still available to the Provider, or has been preserved pursuant to a request made under 18 U.S.C. § 2703(f), the Provider is required to disclose the following information to the government for each account or identifier listed in Attachment A:

a. The contents of all e-mails associated with the account, including stored or preserved copies of e-mails sent to and from the account, draft e-mails, the source and destination addresses associated with each e-mail, the date and time at which each e-mail was sent, and the size and length of each e-mail;

b. All records or other information regarding the identification of the account, to include full name, physical address, telephone numbers and other identifiers, records of session times and durations, the date on which the account was created, the length of service, the IP address used to register the account, log-in IP addresses associated with session times and dates, account status, alternative e-mail addresses provided during registration, methods of connecting, log files, and means and source of payment (including any credit or bank account number);

c. The types of service utilized;

d. All records or other information stored at any time by an individual using the account, including address books, contact and buddy lists, calendar data, pictures, and files;

e. All records pertaining to communications between the Provider and any person regarding the account, including contacts with support services and records of actions taken.

II. Information to be seized by the government

All information described above in Section I that constitutes fruits, evidence and instrumentalities of violations of Title 18, United States Code, Section 2339B, which criminalizes among other things, providing material support to a

Designated Foreign Terrorist Organization involving

"joshuaray.vanhaften@yahoo.com, shuajacksonroberts@ymail.com, and

shuaray@yahoo.com" between the dates of April 1, 2014 and October 26, 2014

including, for each account identified on Attachment A, information pertaining to the following matters:

a. Any and all communications regarding or information about Syria, Iraq, Afghanistan, Islamic State of Iraq and the Levant (ISIL), Islamic State of Iraq and al-Sham (ISIS), the Islamic State of Iraq and Syria (ISIS), ad-Dawla al-Islamiyya fi al-'Iraq wa-sh-Sham, Daesh, Dawla al Islamiya, and Al-Furqan Establishment for Media Production, Jihad, martyrdom, hijrah;

b. Any and all communications regarding the travel plans or general movements of persons communicating with or using the account listed in Attachment A or their associates;

c. Any and all communications involving the use or acquisition of weapons and explosives, and military type training, including training on the use or manufacture of weapons or explosives;

d. Any and all communications involving the physical location of the communicants and their associates;

e. Any and all communications regarding the remittance or transfer of money;

f. Any and all communications involving operational security and the use of other more secure means of communication used by the communicants or their associates;

g. Any and all communication involving the creation and distribution of propaganda, or other media used to radicalize and recruit extremists;

h. Any and all communication involving the radicalizing and recruiting of persons for the purpose of militant jihad on behalf of a terrorist group, or group otherwise engaged in terrorist activity;

i. Any and all communications involving the provision of material support or resources to terrorists (including the provision of man power or personnel);

j. Any and all records relating to who created, used, or communicated with the account or identifier, including records about: (1) their identities and whereabouts; (2) account histories; and (3) billing—to include “log on” and “log off” times.

UNITED STATES DISTRICT COURT

for the

Western District of Wisconsin

In the Matter of the Search of

Information associated with Yahoo Email Accounts
 joshuaray.vanhaften@yahoo.com;
 shuajacksonroberts@ymail.com; shuaray@yahoo.com

Case No. 14-mj-137

SEALED**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 Northern District of California.

See Attachment A.

The person or property to be searched, described above, is believed to conceal:

See Attachment B.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the information described in Attachment B.

YOU ARE COMMANDED to execute this warrant on or beforeNOVEMBER 26, 2014

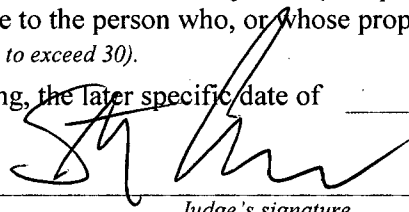
(not to exceed 14 days)

☐ 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 Stephen L. Crocker or United States Magistrate Judge Peter Oppeneer.

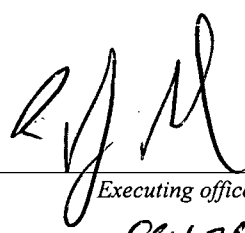
☒ I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box) ☒ for 30 days (not to exceed 30).

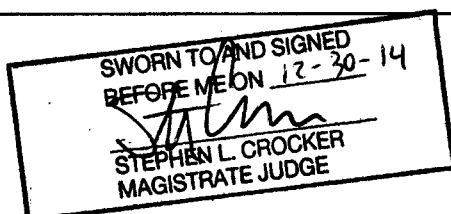
☐ until, the facts justifying, the later specific date of _____.Date and time issued: NOVEMBER 12, 2014 AT 12:35


Judge's signature

Madison, Wisconsin

Magistrate Judge Stephen L. Crocker or
 Magistrate Judge Peter A. Oppeneer

Case No.: 14-MJ-137	Date and time warrant executed: 11/12/2014 1:51 PM	Copy of warrant and inventory left with: YAHOO!
Inventory made in the presence of: YAHOO!		
Inventory of the property taken and name of any person(s) seized: <p style="text-align: center;">-(1) CD</p> <p style="text-align: center;">- Letters from Yahoo pertaining to Legal Process</p>		
Certification		
<p>I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.</p> <p>Date: 12/30/2014</p> <div style="text-align: right;">  Executing officer's signature BRILDEFELL FBI Special Agent Printed name and title </div>		



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c. The types of service utilized;

d. All records or other information stored at any time by an individual using the account, including address books, contact and buddy lists, calendar data, pictures, and files;

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i. Any and all communications involving the provision of material support or resources to terrorists (including the provision of man power or personnel);

j. Any and all records relating to who created, used, or communicated with the account or identifier, including records about: (1) their identities and whereabouts; (2) account histories; and (3) billing—to include “log on” and “log off” times.