

APR 26 2023

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STATE OF MINNESOTA, COUNTY OF WINONA

DISTRICT COURT

APPLICATION FOR SEARCH WARRANT

I, Heather Holden, a licensed peace officer in the State of Minnesota, make an application to this Court for a warrant to search the premises described below, for the property and thing(s) described below.

I know the content of this application and affirm that the statements contained in this application are true based on my own knowledge, or are believed to be true.

I believe that the following described property and thing(s), namely:

The requested following data associated with the SnapChat account adam.53

- **Account user information to include: name, birthday, mobile phone number, email addresses, and Snap Map settings.**
- **Login History and Account Information: Basic information, device history, account deactivation/reactivation**
- **Location History: Frequent locations, latest locations, top locations, map explore, locations visited.**
- **Geolocation Logs to include latitude and longitude**
- **All EXIF and metadata associated with digital media stored on Snap Inc's servers, including intact, deleted, or dissociated from the user account but still accessible to Snap Inc.**
- **Associated device information to include IMEI/IMSI/MEID/GUID**
- **Accounts associated through machine and browser cookies**
- **No Prohibited Violations. Based on Your Affiant's attestation pursuant to California Penal Code Sections 1524(h) and 1524.29(c), the Court finds that the evidence sought pursuant to this warrant is not related to an investigation into, or enforcement of, a prohibited violation as defined in California Penal Code Section 629.51**

is or are at the premises described as:

**Snap Inc.
2772 Donald Douglas Loop North
Santa Monica, CA 90405**

or township of Winona, County of Winona, State of Minnesota.

I apply for a search warrant on the following grounds:

- The property or things above-described constitutes evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.

The facts establishing the grounds for issuance of a search warrant are as follows:

Your affiant, Special Agent Heather Holden, is a duly appointed and acting Peace Officer in the State of Minnesota and has been since 2007. The State of Minnesota employs your affiant at the Bureau of Criminal Apprehension (BCA) assigned to the predatory and technical crimes section, which investigates internet crimes against children, predatory offender registration, and sex trafficking. Your affiant is a member of the Minnesota Internet Crimes Against Children Task Force (MN ICAC) and the North Star Fugitive Task Force. Your affiant's responsibilities include assisting local police and sheriff's departments with predatory crimes, death investigations, missing person cases, homicides, and other felony-level crimes. Your affiant has been employed with the BCA since April 2020. Prior to working for the BCA, Your affiant worked as a detective for the Bemidji Police Department. Your affiant has received over 1000 hours of specialized training from numerous agencies, including the Federal Bureau of Investigation, National Center for Missing and Exploited Children, National Child Protection Task Force, Internet Crimes Against Children Task Force, and National White Collar Crime Center. Your affiant is an FBI Certified Cybercrime Investigator and Certified Forensic Computer Examiner. Your affiant has drafted and assisted in the drafting of multiple search warrants as well as the execution of those search warrants. Your affiant has received certificates of training in the following areas: Internet Investigative Techniques, Undercover Chat Investigations, FTK Forensics, Peer-to-Peer File Sharing Investigations (Gnutella Network, Bit Torrent Network, Ares Network, e Donkey Network), and Access Data Certified Forensic Examiners Programs. Your affiant holds a Master of Science in Forensic Computing and Cybercrime Investigation.

Your affiant is seeking a search warrant for the Snapchat account "adam.53" associated with the phone number 507-459-6895 which is utilized by Adam Fravel.

The information contained within this application is not all the information known to Your affiant, rather the facts that tend to establish probable cause to obtain the information requested contained on the servers of Snap Inc. associated with the user account "adam.53". Your affiant knows the following through her professional experience and education, the investigation of other law enforcement officers, reviewing law enforcement reports, and consulting with other law enforcement actively investigating the suspicious disappearance of Madeline Kingsbury.

Your affiant makes this affidavit in support of an application for a search warrant for

information associated with certain Snapchat accounts that are stored at premises owned, maintained, controlled, or operated by Snap, Inc., a communications company incorporated in Delaware and headquartered in Venice, CA. Your affiant knows Snap Inc. accepts legal services through an internet-based secure law enforcement portal.

CURRENT INVESTIGATION

On 04/01/2023, Your affiant was contacted by Special Agent Swenson of the Minnesota Bureau of Criminal Investigation in regard to an endangered missing person, Madeline Kingsbury.

Kingsbury was last seen on 03/31/2023 at approximately 0800 hours when she and the father of her children, Adam Fravel, brought their children in common to daycare. Kingsbury did not pick up her children from daycare at the end of the day as normal.

Through interviews, law enforcement has learned that Kingsbury recently ended her relationship with Fravel. Fravel has made threatening comments that Madeline would end up like Gabby Petito if she did not straighten up. Petito was an Instagram influencer that was the victim of domestic abuse and murdered by her boyfriend in the summer of 2022 and left in a national park.

Fravel has told law enforcement that he was with Kingsbury on 03/31/2023, and they were transporting his belongings from the residence. Fravel stated that he was last with Kingsbury near Choice, Minnesota, on 03/31/2023, where he realized he needed to turn around to return to the residence to retrieve more belongings. Kingsbury has not been located nor had any contact with family members and friends since being in the presence of Fravel on 03/31/2023.

Your affiant searched the phone number associated with Fravel in the SnapChat application, and the SnapChat username "adam.53" was associated with the known phone number of Fravel. Your affiant preserved the username.

SNAPCHAT INFORMATION

Snapchat, Inc. owns and operates a communications service that transmits alphanumeric text messages, pictures, and videos from a software application installed on a user's mobile device to another application on the mobile device or one or more users. These messages are referred to by the company and the people who use the application as "snaps."

Snapchat may be installed through the Google Play Store or the Apple App Store and used on a tablet or mobile phone, including those using Apple's iOS and Google's Android operating systems. Snapchat is a nomadic application in that the same account can be accessed on

multiple devices.

Snapchat's differentiating feature from other communications applications is that once a sender can set a variable amount of time, the message is viewable by the receiver. This time can be between one and ten seconds. At the expiration of time, the message is dissociated from the user's account on SnapChat servers but is not immediately deleted from SnapChat servers. Similarly, the message disappears from the user's devices.

If the receiver of a Snapchat message does not access the application on their device, the message remains undelivered. Snapchat stores undelivered messages for 30 days. After 30 days, the messages are deleted from the company's servers.

Before a user can begin employing the features of Snapchat, they must create an account consisting of personally identifiable information and/or information that may provide additional investigative avenues for which additional search warrants or other legal processes may be sought. The initial stage of creating an account is the creation of a unique username. This is the name visible to other Snapchat users. A new user also enters a date of birth. An email address is required to register a Snapchat account. A new user also has to provide a mobile phone number. This phone number is verified during the registration process. Snapchat sends an activation code that must be entered before proceeding with the registration step. Snapchat also retains the account creation date. This is often known as personally identifiable information (PII). Your affiant is requesting this data to identify the creator of this account and confirm the ownership is that of Adam Fravel.

Snapchat retains log files roughly analogous to the call detail records maintained by telecommunications companies. Recorded data includes a snap's date, time, sender, and recipient. Additionally, Snapchat stores the number of messages exchanged, which users they communicate with the most, message status, including if and when the message was opened, and whether the receiver used the native screen capture function of the device to take a picture of the snap before it disappeared.

Snapchat stores device information such as model, operating system version, mobile device phone number, and mobile network information of devices used in conjunction with the service. They also collect unique device identifiers such as Media Access Control (MAC) address and the International Mobile Equipment Identifier (IMEI) or Mobile Equipment Identifier (MEID) of devices used to access Snapchat. If the Snapchat user's application crashes, the company collects a list of other installed applications to detect potential software conflicts. Your affiant requests this information to identify the account's associated device (s) to identify the additional device(s) to seize and search for illegal activity.

If a user consents, Snapchat can access their electronic phonebook or contacts list and images from their device. It is unclear if the company stores phonebook information for any

extended period. This information would assist Your affiant in identifying associates of the suspect.

A Snapchat user can keep a photo/video diary using a feature called "Story." Each snap is a Story document of the user's experience. Based on the user's privacy settings, the photos and videos added to a Story can be viewed by everyone on Snapchat or just the user's friends. Stories are visible to other users for up to 24 hours.

"Our Stories" is a collection of user-submitted snaps from different locations and events. A Snapchat user, with the location services of their device turned on, can contribute to a collection of snaps regarding the event or specific geographic location. Users can also view the "Our Stories" event if they are not present at the event by subscribing to the story. This information would assist Your affiant in identifying the person(s) involved in this illegal activity.

Snapchat offers a map feature that, if users choose to participate, geo-locates Snapchat users with a latitude and longitude. Your affiant requests all geolocation data associated with the named account to show the suspect's physical location in a reasonable period of the planning and committing of the offense.

Your affiant knows digital photos and videos often contain the information referred to as EXIF and metadata. This data is encoded in the digital information of the photo or video. This data may assist Your affiant in establishing the physical location of the suspect(s) during Madeline Kingsbury's disappearance.

The servers of Snapchat are likely to contain all the aforementioned material, including stored electronic communications and information concerning subscribers and their use of Snapchat, such as account access information, transaction information, and account application.

Based upon the foregoing information, your affiant seeks an order from this Court requiring Snapchat INC to provide information regarding the account "adam.53". Specifically, Your affiant seeks an order requiring SnapChat to provide the following pertaining to user content from "adam.53" to include:

- Account user information to include: name, birthday, mobile phone number, email addresses, and Snap Map settings.
- Login History and Account Information: Basic information, device history, account deactivation/reactivation
- Location History: Frequent locations, latest locations, top locations, map explore, locations visited.
- Geolocation Logs to include latitude and longitude
- All EXIF and metadata associated with digital media stored on Snap Inc's servers,

including intact, deleted, or dissociated from the user account but still accessible to Snap Inc.

- Associated device information to include IMEI/IMSI/MEID/GUID
- Accounts associated through machine and browser cookies.

Pursuant to California Penal Code Sections 1524(h) and 1524.29(c), Your affiant attests and declares, based on the Affiant's training and experience, the facts and circumstances of the investigation, as explained above, as well as based upon Your affiant's position as an investigating officer in this investigation that the evidence sought by this warrant is not related to an investigation into, or enforcement of, a prohibited violation as defined in California Penal Code Section 629.51

(End of Page)

I request a search warrant be issued, commanding Heather Holden, S/A Swenson, peace officers of the State of Minnesota, and any other authorized person, to enter and search between the hours of 7 a.m. and 8 p.m. to search the above described premises for the described property and thing(s), and to seize and keep said property and thing(s) in custody until dealt with according to law.

I declare under penalty of perjury that everything stated in this document is true and correct.

Applicant: Heather Holden

Minnesota Bureau of Criminal
Apprehension
Electronically Signed
04/01/2023 6:56 PM
Beltrami County, Minnesota

STATE OF MINNESOTA, COUNTY OF WINONA

DISTRICT COURT

SEARCH WARRANT

TO: HEATHER HOLDEN, S/A SWENSON PEACE OFFICERS OF THE STATE OF MINNESOTA.

WHEREAS, Heather Holden has this day on oath made an application to this Court for a warrant to search the following described premises :

**Snap Inc.
2772 Donald Douglas Loop North
Santa Monica, CA 90405**

This search is of records held by an out-of-state corporation, Snap Inc., doing business in city or township of Winona, State of Minnesota for the following described property and thing(s):

The requested following data associated with the SnapChat account adam.53

- **Account user information to include: name, birthday, mobile phone number, email addresses, and Snap Map settings.**
- **Login History and Account Information: Basic information, device history, account deactivation/reactivation**
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- **Associated device information to include IMEI/IMSI/MEID/GUID**
- **Accounts associated through machine and browser cookies**
- **No Prohibited Violations. Based on Your Affiant's attestation pursuant to California Penal Code Sections 1524(h) and 1524.29(c), the Court finds that the evidence sought pursuant to this warrant is not related to an investigation into, or enforcement of, a prohibited violation as defined in California Penal Code Section 629.51**

WHEREAS, the application of Heather Holden was duly presented and read by the Court, and being fully advised in the premises.

NOW, THEREFORE, the Court finds that probable cause exists for the issuance of a search warrant upon the following ground(s):

- The property or things above-described constitutes evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.

The court further finds that probable cause exists to believe that the above-described property and thing(s) is or are at the above-described premises

(End of Page)

NOW, THEREFORE, you Heather Holden, S/A Swenson, peace officers of the State of Minnesota, and any other authorized person, are hereby commanded to enter and search between the hours of 7 a.m. and 8 p.m., to search the above-described premises, for the described property and thing(s), and to seize and keep said property and thing(s) in custody until dealt with according to law.

BY THE COURT

ISSUED ON: 01 April, 2023

Judicial Officer: Nancy Buytendorp

Judge of District Court

Electronically Signed

04/01/2023 7:43 PM

STATE OF MINNESOTA, COUNTY OF Winona

DISTRICT COURT

RECEIPT, INVENTORY AND RETURN

I, Heather Holden, received the attached search warrant issued by the Honorable Buytendorp, on 04/01/2023, and have executed it as follows:

Pursuant to the warrant, on 04/01/2023, at 08:00 o'clock pm, I searched the following described in the search warrant.

☒ Premises ☐ Motor Vehicle ☐ Person ☐ Device

I have left a true and correct copy of the search warrant (with) (in) (at)

search warrant served through the LESS portal

I took into custody the property and things listed below: (attach and identify additional sheets if necessary)

Data requested from search warrant

Check the appropriate:

- ☒ I left a receipt for the property and things listed above with a copy of the warrant.
- ☐ None of the items set forth in the search warrant was found.
- ☐ I shall retain or deliver custody of said property as directed by court order.

"I declare under penalty of perjury that everything I have stated in this document is true and correct." Minn. Stat. 358.116.

Heather Holden Date: 04/11/2023
(Signature)
County: Beltrami State: MN

COPIES TO: • COURT • PROS. ATTORNEY • PEACE OFFICER • PREMISES/MOTOR VEHICLE/PERSON