

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

UNITED STATES OF AMERICA

v.

ROBERT JOHN MAY, III,

Defendant

Case No. 3:25-CR-778 (CMC)

MOTION TO SUPPRESS AND
REQUEST A FRANKS HEARING

COMES NOW the defendant Robert John May, III, pursuant to Fed R Crim P 12 to: (1) suppress the search of Target Phone #1 seized from his home on August 5, 2024; (2) request this court to order a hearing regarding government misconduct in procuring the issuance of a search warrant pursuant to *Franks v. Delaware*, 438 U.S. 154 (1978); and (3) require Special Agent Britton Baker Lorenzen of Homeland Security Investigations to testify at this hearing.

FACTUAL BACKGROUND

The factual background of the instant case has been sufficiently explained in prior motions. Therefore, we will incorporate any necessary facts in the analysis

LEGAL STANDARD

This motion to suppress the search of Target Phone #1 relies on the same legal standards as set forth in the defendant's September 10, 2025 motion to suppress the search of his home. Therefore, any necessary legal standard will be incorporated into the analysis.

ANALYSIS

During Defendant May's June 12, 2025 detention hearing, Agent Lorenzen confirmed it was "very, very common" to execute a search warrant for CSAM-related offenses and discover no child pornography or child pornography artifacts. See Detention Hearing Transcript, page 63, lines 21-25; page 64, lines 1-3. Now proceeding pro se, May was provided with a copy of Lorenzen's probable cause affidavit for Target Phone #1 on September 10, 2025. In her August 6, 2025 Search Warrant application, Lorenzen states the opposite. See paragraph # 11, subsection e.

When viewed side-by-side, the Target Phone #1 probable cause affidavit and Detention Hearing Transcript make a sufficient preliminary showing of falsity and omission.

Lorenzen's Target Phone #1 affidavit avers that "individuals who collect child pornography rarely if ever dispose of their sexually explicit materials" and therefore exists reason "to believe that computer images, especially child pornography and exotic nudity involving minors will be retained by the collector indefinitely." At the June 12, 2025 detention hearing, Lorenzen confirmed that it is "very, very common" to execute a search warrant on a Target Location and discover no CSAM or CSAM artifacts on the seized devices or on cloud storage accounts. See Detention Hearing transcript, page 63, lines 21-25; page 64, lines 1-3

Both Lorenzen's affidavit and testimony were provided under oath but each conflicts directly with the other. In reading the Target Phone #1 probable cause affidavit and detention hearing transcript, it is obvious that both cannot be true. As to which is true - and by default determining if Lorenzen perjured herself in the search warrant application or at the detention hearing - one needs only to look at the evidence.

Paragraph # 11, subsection E of Lorenzen's affidavit is boilerplate language designed to meet all of law enforcements' needs. It has been cut and pasted

From search warrant to search warrant for decades without regard to evolving technology or trends. Thus, Lorenzen did not write paragraph 11 Subsection E nor did she edit it based on the facts and circumstances at hand. Lorenzen's June 12 testimony, however, were her own words unconstrained by the need to prove probable cause to an issuing magistrate or the carefully crafted words designed to secure a search warrant. Also worth considering is why would Lorenzen's testimony contradict her sworn probable cause affidavit if she believed it to be true that collectors of CSAM rarely if ever dispose of their materials? She needed only to repeat her previous averments. It makes no sense for her to discredit her own probable cause affidavit unless she, of course, never believed the averments in the affidavit as truthful. Regardless, the evidence shows Lorenzen's detention hearing testimony is credible and factual. Any suggestion to the contrary is belied by the record and the multiple opportunities provided to Lorenzen to change, clarify, or amend her testimony.

Consider the following exchange between Lorenzen and the defense:

Q. How often is it that you... execute a search warrant and there is no CSAM material or CSAM artifacts on any device?

A. Oh, it is very common.

Lorenzen was provided her first opportunity to modify her answer:

Q. Very Common?

A. Yes.

Lorenzen was provided a second opportunity to modify her answer:

Q. If there is a search of Federal cases... we will find many, many cases where there is zero evidence on any device after [the] execution of a search warrant?

A. With the technology of cloud based systems, yes, you are going to find that... Commonly there are not items actually saved on the camera roll of a phone.

The Defense confirmed with Lorenzen that no CSAM or CSAM artifacts were found on any cloud storage accounts associated with May and provided her with

a third opportunity to modify her answer:

Q. Is it your testimony that it is very, very common to execute a search warrant in Federal cases and there be no CSAM material or artifacts [on either] the devices [seized] or in a cloud storage [account]?

A. Of Federal or state, yes.

It is important to note that when provided the opportunity to modify or object to the defense's characterization of her testimony, Lucenzen not only confirmed it to be correct but — on her own accord — extended her answer beyond the scope of the original inquiry about Federal cases and self-applied it to state cases as well. Lucenzen spoke from a position of authority. She was direct, confident, and truthful.

As for deliberate or reckless disregard for the truth, these conflicting statements were based on the same agent's training and experience. Yet, again, the probable cause affidavit averred that collectors of CSAM rarely, if ever, dispose of their illicit materials. But at the detention hearing, the same agent contradicted herself and testified that search warrants executed on suspected collectors of

CSAM very, very commonly result in the discovery of no CSAM artifacts, let alone a collection. These discrepancies are not the result of quick typing and fat fingers. They are direct contradictions of firsthand reports by the same agent about her own observations of the facts, facts that any reasonable person would know a magistrate would like to know before issuing a warrant.

It is reasonable to infer that such direct contradictions by the same veteran law enforcement officer are unlikely to be merely negligent.

Lastly, the false information — that individuals who possess CSAM rarely, if ever, dispose of their materials — and the omission — that it is very, very common to not discover CSAM or CSAM materials in a suspect's home, or the electronics seized, or in cloud accounts — goes to the heart of probable cause. Will a search of Target Phone # 1 produce CSAM or CSAM artifacts? Is the underlying information stale?

In *US v. Richardson*, the Fourth Circuit held that a four month delay between the underlying CSAM activity and the issuance of a warrant did not render the warrant impermissibly stale

where the affidavit also included a sworn statement that child pornographers rarely, if ever, dispose of sexually explicit materials and that a computer expert is likely to retrieve deleted files through scientific examination. See *US v. Richardson*, 607 F.3d at 370-371. In the more recent *Kruegar* decision, the Court held that the officer-affiant's inclusion of the "collector" profile and the ability to recover deleted files allowed the issuing magistrate to infer the defendant was likely to retain images of CSAM for an extended period and even if the defendant tried to delete the files, they could be recovered by forensic exam. See *US v. Kruegar*, 24-4328.

When the falsities are removed from the Target Phone #1 affidavit and replaced with Lorenzen's omissions, paragraph #11, subsection E now states:

"As for staleness concerns, it is very, very common to execute a search warrant on a suspected possessor of CSAM and discover no CSAM or CSAM artifacts in his home, on his electronics or in his cloud storage accounts."

Given the Richardson and Krueger decisions, no magistrate would issue a search warrant under such conditions. The corrected affidavit contains neither the collector profile nor an averment about law enforcement recovering deleted data. Instead, the corrected affidavit states the Target Individual will very, very commonly not be a collector and law enforcement will very, very commonly not be able to recover CSAM artifacts. Viewing the affidavit with Richardson in mind, the four month gap in the instant case would render any probable cause stale. Furthermore, Krueger teaches us that the magistrate, instead of having two substantial basis to believe that evidence of wrong doing would be found, now has no substantial basis to establish probable cause. Put plainly, the false information and omissions are critical to the finding of probable cause for the search.

DOCUMENTATION

Franks requires an offer of proof to be attached to the motion or an explanation why the offer can't be provided. As a pro se defendant, I do not have access to a printer or copy

machine and cannot reproduce files. I respectfully request the Court reference my September 10 motion to suppress for the detention hearing transcript. My only copy of the search warrant for Target phone # 1 is enclosed.

Respectfully Submitted,

Robert John May III

Robert John May III

Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

3:24-cr-00656

IN THE MATTER OF THE SEARCH OF)
TARGET PHONE #1 AS)
PARTICULARLY DESCRIBED IN)
ATTACHMENT A TO THE SEARCH)
WARRANT AFFIDAVIT OF SA)
BRITTON LORENZEN DATED)
AUGUST 6, 2024)

Case No. _____

MOTION TO SEAL

The United States of America, by and through its undersigned Assistant United States Attorney, hereby moves this Court to seal the affidavit in support of the search warrant and the attachments thereto, as well as the return to the warrant identifying any evidence seized. The Court has the inherent authority to seal these documents. *See Baltimore Sun v. Goetz*, 886 F. 2d 60 (4th Cir. 1988). The purpose of the Government's request is to protect the information contained within these documents and to avoid the disclosure of the investigation at this time.

Based on the facts in the affidavit, there is reason to believe that disclosure of the information in these documents would seriously jeopardize the investigation including by giving targets the opportunity to destroy or tamper with evidence, change patterns of behavior, flee from prosecution, intimidate cooperating and potential witnesses, and endanger the safety of law enforcement and other individuals. For these reasons, the Government submits that the interests in sealing the affidavit and attachments thereto and the return outweigh the common-law public right of access and that sealing is "essential to preserve higher values." *See Media Gen. Operations, Inc. v. Buchanan*, 417 F.3d 424, 429-31 (4th Cir. 2005). The Government further submits that, by sealing only the affidavit in support of the search warrant, attachments thereto, and the return while providing public access to the search warrant, the application in support of the search warrant, the

motion to seal and the sealing order, the denial of access is narrowly tailored to serve the Government's interests in sealing. *Id.* at 429.

Based on the foregoing, the Government requests that the affidavit in support of the search warrant and attachments thereto, as well as the return, be filed under seal except that working copies should be made available to the United States Attorney's Office, the United States Department of Homeland Security, and any other law enforcement agency designated by the United States Attorney's Office.

Executed on August 6, 2024.

s/Scott Matthews
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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

IN THE MATTER OF THE SEARCH OF)
TARGET PHONE #1 AS)
PARTICULARLITY DESCRIBED IN)
ATTACHMENT A TO THE AFFIDAVIT)
OF SA BRITTON LORENZEN DATED)
AUGUST 6, 2024.)
)
)
)
)

Case No. 3:24-cr-00656

ORDER TO SEAL

This matter comes before the Court on motion of the United States to file the affidavit in support of the search warrant and attachments thereto under seal. The purpose of the Government’s request is to protect the information contained within these documents as release of the information would jeopardize an ongoing investigation, reveal sensitive information about the nature and scope of the investigation, disclose the identity of cooperating sources and potential witnesses, and could result in the destruction of evidence or flight from prosecution.

Having conducted an independent review of the facts set forth in the affidavit in support of the search warrant as well as the reasons provided by the Government in its sealing motion, the Court concludes that the Government’s significant countervailing interest in sealing outweighs the common-law public interest in access to such documents and that sealing the affidavit and attachments is “essential to preserve higher values.” *See Media Gen. Operations, Inc. v. Buchanan*, 417 F.3d 424, 429-31 (4th Cir. 2005). The Court further concludes that, by sealing only the affidavit in support of the search warrant and attachments thereto and providing public access to the search warrant, the application in support of the search warrant, the motion to seal

PJG

and this sealing order, the denial of access is narrowly tailored to serve the government's interests in sealing. *Id.* at 429.

In reaching this conclusion, the Court has considered alternative measures less restrictive than sealing—such as redaction of portions of the document—but finds that, at this juncture, redaction would not protect the Government's compelling interests and un-redacted portions would largely be limited to information available in the warrant and application. *See In re Search Warrant for Secretarial Area Outside of Gunn*, 855 F.2d 569, 574 (8th Cir. 1999) (explaining that “line-by-line” redactions were “not practical” where “[v]irtually every page contain[ed] multiple references” to sensitive information); *In re Search of Office Suites for World & Islam Studies Enterprise*, 925 F. Supp. 738, 744 (M.D. Fla. 1996) (rejecting redactions of affidavit due to “concerns that unsealing even a portion of the affidavit would reveal, either explicitly or by inference, the scope and direction of the Government's investigation”); *In re Search Warrants for Nat'l Builders Corp.*, 833 F. Supp. 644, 646 (N.D. Ohio 1993) (finding that sealing of search warrant affidavit was justified when “[v]irtually every page of the affidavit contain[ed] references to conversations and events, and reveal[ed] the nature and scope of the on-going government investigation, including individuals not within the scope of the search warrant”). Based on the foregoing, the Court finds that the interests of justice are best served by filing the affidavit and attachments thereto, and the return to the warrant, under seal. Working copies may be made available to the United States Attorney's Office, the United States Department of Homeland Security and any other law enforcement agency designated by the United States Attorney's Office.

Unless otherwise ordered, the documents sealed by this order shall remain sealed for one year from the date of this order, subject to extension for good cause shown and to the following

UNITED STATES DISTRICT COURT

for the
District of South Carolina

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

Case No. 3:24-cr-00656

Target Phone #1 as particularly described in attachment
A to the search warrant affidavit of SA Britton Lorenzen
dated August 6, 2024

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

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 description of Target Phone #1 in attachment A of the affidavit of HSI Special Agent Britton Lorenzen

located in the _____ District of _____ South Carolina _____, there is now concealed *(identify the person or describe the property to be seized)*:

See description of things to be seized in attachment B to the affidavit of HSI Special Agent Britton Lorenzen

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. § 2252A(b)(5)	Possession of child pornography

The application is based on these facts:

See attached affidavit of HSI Special Agent Britton Lorenzen

- 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

Britton B. Lorenzen

Applicant's signature

Britton Lorenzen, Special Agent, HSI

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
videoconference (FaceTime app) *(specify reliable electronic means)*.

Date:

August 6, 2024

Paige J. Gossett

Judge's signature

City and state: Columbia, South Carolina

Paige J. Gossett, United States Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

In the Matter of the Search of:

Samsung SM-G781U1 cellphone (IMEI No. 351675643599503) (**Target Phone #1**); currently located at the United States Secret Service Columbia Field Office 107 Westpark Boulevard, Suite 301, Columbia, 29210

Case No. 3:24-cr-00656

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

I, Britton Baker Lorenzen, a Special Agent with Homeland Security Investigations (HSI), being first duly sworn, hereby depose and state as follows:

I. Introduction and Agent Background

1. I make this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure for a search warrant authorizing the examination of property—a Samsung SM-G781U1 Android smart phone (**Target Phone #1**) as particularly described in Attachment A to this affidavit—which is currently in law enforcement possession, and the extraction from that property of electronically stored information described in Attachment B. On August 5, 2024, **Target Phone #1** was found during a search warrant executed on the premises of 338 Lake Frances Drive, West Columbia, South Carolina 29170, a residence previously referred to as **Target Location** in that warrant and belongs to Robert John May, III, an individual described as **Target Individual** in the previous warrant.

2. This affidavit is based upon my personal knowledge, experience, and training, and other information developed during the course of this investigation. This affidavit is also based upon information and experience imparted to me by other law enforcement officers. Because I am

submitting this Affidavit for the limited purpose of demonstrating probable cause to search **Target Phone #1**, I have not included every fact known about this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that violations of Title 18, United States Code, Section 2252A(5)(B) (possession of child pornography) have been committed and that **Target Phone #1** contains evidence, fruits, and instrumentalities of this violation and contraband, as further described in Attachment B to this affidavit.

3. I am a Special Agent (SA) with Department of Homeland Security (DHS), Homeland Security Investigation (HSI) and have been so employed since October 2009. I am currently assigned to the Columbia Office and to the Internet Crimes Against Children (ICAC) Task Force. In this capacity, I have conducted multiple victim, witness, and subject interviews that involve on-line child sexual exploitation, child pornography, child sexual abuse, sextortion, and associated criminal activity. I have investigated federal criminal violations related to child sexual exploitation and child pornography.

4. I have participated in investigations in which perpetrators have used computers and mobile applications to commit violations involving the sexual exploitation of children. I have received training in the area of child pornography, child sexual abuse, and on-line sexual exploitation. I have experience in observing and reviewing numerous examples of child pornography (as defined in 18 U.S.C. 2256) in all forms of media. These forms of media include computer media, magnetic storage media, and mobile applications in violation of state and federal laws, including variations of Title 18, U.S.C. 2252A(5)(B). I have also participated in numerous search warrants that involved child sexual exploitation and/or child pornography offenses. These investigations have led to arrests and convictions for violations of the federal code. As such, I am an "investigative or law enforcement officer" within the meaning of Title 18, United States Code.

Section 2510(7), and empowered by federal law to investigate and make arrests for offenses enumerated in Section 2518 of Title 18 of the United States Code.

5. Prior to becoming a Special Agent with HSI, I was a Special Agent with the Department of Homeland Security, United States Secret Service (USSS) from 2004 to 2009 where I was assigned to the Computer Crimes Center and Protective Intelligence investigations. Previous to my employment with the Department of Homeland Security, I was a Criminal Investigator for the Spartanburg County Sheriff's Office from 2000 to 2004 where I was assigned to juvenile and sexual assault investigations. I completed the South Carolina Criminal Justice Academy which included training on various criminal matters.

6. **Target Phone #1** was seized during a search of **Target Location** on August 5, 2024.

7. **Target Phone #1** is currently located at the United States Secret Service Columbia Field Office, 107 Westpark Boulevard, Suite 301 Columbia, SC 29210.

8. Based on my training and experience and the facts set forth in this affidavit, there is probable cause to believe that evidence, fruits, and instrumentalities of the violation of Title 18, United States Code, Section 2252A(a)(5)(B) (Possession of Child Pornography) are located within **Target Phone #1**.

II. Target Offense

9. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that violations of 18 U.S.C § 2252A(a)(5)(B) (**Possession of Child Pornography**) have been committed by **Target Individual**.

10. I respectfully submit there is probable cause to believe **Target Individual** violated § 2252A(a)(5)(B) because there is probable cause to believe his conduct satisfies all three elements

of the statute: (1) First, **Target Individual** possessed or accessed with intent to view, any book, magazine, periodical, film, videotape, computer disk, or any other material that contained an image of child pornography; (2) that had been mailed, or shipped or transported using any means or facility of interstate commerce or in or affecting interstate commerce by any means, including by computer, or was produced using materials that had been mailed, or shipped or transported in or affecting interstate commerce by any means, including by computer, and (3) Third, **Target Individual** acted knowingly.

11. Based on my training, experience, and consultation with experienced agents assigned to investigate child sexual exploitation and child pornography, I know the following:

- a. Persons who are involved with child pornography generally have other sexually explicit materials related to their interest in children, which may consist of photographs, motion pictures, videos, text material, computer graphics and digital or other images for their own sexual gratification, often including child erotica, which may consist of images or text writing involving sex with minors that do not rise to the level of child pornography but nonetheless fuel their deviant sexual fantasies involving minors. Such individuals are usually, but not always male. I am aware that this sort of material has been admitted in trials under Fed. R. Evid. 404(b) to prove such things as the possessor's knowledge, intent, motive, and identity and under Fed. R. Evid. 414 to prove the person has a sexual interest in minors.
- b. Individuals who collect child pornography often seek out like-minded individuals, either in person or on the Internet, to share information and trade depictions of child pornography and child erotica. They do this to gain status, trust, acceptance, and support and to increase their collection of illicit images and child erotica. The different Internet-based vehicles used by such individuals to communicate with each other include, but are not limited to, peer-to-peer (P2P) chat and file sharing programs, e-mail, e-mail groups, bulletin boards, Internet Relay Chat (IRC), newsgroups, Internet clubs, and various forms of Instant Messaging such as Yahoo! Messaging, and "chat" that is sometimes saved on the user's computer or other digital storage media.
- c. Besides sexual photos of minors and child erotica, such individuals often produce and/or collect other written material on the subject of sexual activities with minors, which range from fantasy stories to medical, sociological, and psychological writings, which they save to understand and justify their illicit behavior and desires.
- d. Individuals who collect child pornography often collect, read, copy or maintain names, addresses, including e-mail addresses, phone numbers, and lists of persons who have advertised or otherwise made known in publications and on the Internet

III. Probable Cause

Background of Investigation

13. On May 27, 2024, KIK¹ sent CyberTipline Report 194328560 to the National Center for Missing and Exploited Children (NCMEC), regarding child pornography² (hereafter referred to as child sex abuse material (CSAM)) being transmitted via the social media platform, by KIK user: "joebidennnn69" on March 31, 2024, at 04:36:53 UTC.

14. NCMEC flagged 50 files as CSAM. Some of the files were duplicated, however there are 28 different videos containing CSAM. All files were verified by the Electronic Service Provider (KIK) as CSAM and can be described as displaying female minors between the approximate ages of 8-12 years engaged in sexual activities. One video can be described as the following: Video - 2e35c341-16b9-4dae-9dd0-666a498c5180.mp4, MD5 Hash Value: bffd6c7ef51603a5942f1095003bfe86, 6.79 MB and 00:52 seconds in length depicts a minor female approximately eight (8) years of age performing oral sex on an adult male.

¹ MediaLab/Kik is a social media company based out of Los Angeles, California that operates the KIK Messenger Application. The KIK Messenger Application is a chat application that allows users to communicate, as well as share videos, and photographs both in group and person to person settings.

² Outside of the legal system, NCMEC chooses to refer to child pornography images as Child Sexual Abuse Material (CSAM) to most accurately reflect what is depicted – the sexual abuse and exploitation of children. “Child Pornography”, as defined by congress, includes any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct where (A) the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct; (B) such visual depiction is a digital image, computer images, or computer-generated images that is, or is indistinguishable from, that of a minor engaging in sexually explicit conduct; or (C) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaged in sexually explicit conduct. 18 U.S.C § 2256(8).

15. The CyberTipline Report provided AT&T Internet Protocol (IP) address 162.234.188.43 (port 55950) as being used to download and share the CSAM. NCMEC geolocated³ the IP address to West Columbia, SC (Lexington County). The South Carolina Attorney General's Office assigned the CyberTipline Report to the Lexington County Sheriff's Department in Lexington, SC.

16. On June 27, 2024, Detective Kevin Baum of the Lexington County Sheriff's Office obtained a state search warrant requesting all customer or subscriber information for the AT&T account associated with IP address 162.234.188.43 (port 55950). AT&T provided the billing party associated with IP address 162.234.188.43 is **Target Individual** and the service address is **Target Location**.

17. On June 27, 2024, Detective Baum obtained a South Carolina state court search warrant requesting the contents of KIK account related to username: "joebidennnn69". On July 12, 2024, KIK complied and provided the subscriber information for the account. The KIK user "joebidennnn69" registered the account on March 30, 2024, at 01:42:44 UTC using a Samsung SM-G781U1 Android smart phone⁴ and provided an unconfirmed email:

³ Geolocation is the identification of the real-world geographic location of an object. This identification is done by generating a set of geographic coordinates such a latitude and longitude through GPS and using the coordinates to determine a meaningful location.

⁴ Kik Messenger stores the phone's make and model information using device identifiers and system information. When the user installs and uses Kik on their phone, the app collects various details about your device, which typically includes: (a) Device Information: This includes the make and model of the device, operating system version, device identifiers (such as the device ID and possibly IMEI), and other hardware characteristics. (b) System Information: Kik might collect system-related information such as the type of operating system, version number, mobile network information, and other technical details. This information is usually gathered during the app installation and whenever the app runs, allowing Kik to optimize the app's performance for different devices, troubleshoot issues, and provide relevant updates.

joehoe12368@gmail.com⁵. The above-referenced IP address (162.234.188.43) was also used to register the KIK account. The contents of the account also contained 265 videos displaying CSAM. One video can be described as MD5 Hash Tag:57faa941-9055-45cf-b3b9-c777ddec9574, 1.06 MB in size, and 00:08 seconds in length depicting an adult male using his penis to penetrate the vagina of a toddler female approximately three (3) years of age.

18. From March 30, 2024 until April 4, 2024, username "joebiden69" sent or received approximately 1,147 messages with other KIK users. The messages discussed trading CSAM with other users. On March 31, 2024 the following discussion occurred between "joebiden69" and another user:

joebiden69: Cheese⁶ trade?
johnthorton7300: Sure
johnthorton7300: Whatchu got
joebiden69: What ya want?
johnthorton7300: Anyone that in highschool
johnthorton7300: Anything like these
joebiden69: I don't have much of that. But lots of younger.

19. On April 4, 2024 the following discussion occurred between "joebiden69" and another user:

joebiden69: Send the good stuff. Mom daughter, mom son, fucking, and vids in English
joebiden69: Or girl boy fucking.
pcjames99: Okay
joebiden69: What's your preference?
pcjames99: Father daughter
pcjames99: You?
joebiden69: Father mom daughter
pcjames99: I don't see many father mother daughter
pcjames99: Is there a good amount going around?
joebiden69: No
pcjames99: Actually I might have one lemme look
pcjames99: Do you have any age 6-12?

⁵ In response to a state search warrant sent to Google, Google indicated they had no records of this email address.

⁶ "Cheese" is a slang term that means money, cash, or currency.

joebiden69: Yeah. Isn't that what I sent?

20. On July 08, 2024, at approximately 3:00 PM, Detective Baum conducted physical surveillance at **Target Location** and observed two vehicles parked in the driveway. The first vehicle, a dark color pickup truck, was backed into the driveway and the license tag was not visible. The second vehicle, a black Chevrolet Suburban, was pulled into the driveway and Detective Baum noted South Carolina license tag REP90 on a State Legislator plate. In my experience such license tags are used by State Legislators or their families. A database check using the South Carolina Department of Vehicles (SCDMV) indicated that SC REP90 is registered to **Target Individual** and Elisabeth Ruth Slawson with **Target Location** listed as their address.

21. There is also evidence that **Target Individual** has access to children inside his home. Open-source databases show **Target Individual** reported an address of **Target Location**. Other residents include **Target Individual's** wife, Elisabeth Ruth Slawson, and two minor children. Further, a review of the Facebook page of **Target Individual's** campaign confirm **Target Individual** has a minor son who is approximately six years-old and a minor daughter who is approximately two years-old.

22. Based on my training and experience, I submit there is probable cause to believe that the **Target Location** contains evidence of violations of the target offense including on devices in **Target Individual's** possession.

Target Location

23. According to Lexington County property records, Elisabeth Slawson purchased the lot where **Target Location** stands for \$249,000 on September 22, 2015.

24. South Carolina Department of Motor Vehicle (SCDMV) records show **Target Individual** has two vehicles registered at **Target Location**, a 2017 Chevy Suburban with license tag, REP90, and a 2019 Dodge Ram with license tag 4305LN.

25. On July 29, 2024 at approximately 09:30 AM, I conducted surveillance at **Target Location** where I observed the same Chevrolet Suburban bearing SC REP90 that was observed by Det. Baum on July 8, 2024. I also observed a white Honda Accord bearing SC WDS844 parked in front of the residence. I do not have any reason to believe the Honda Accord belongs to a resident of **Target Location**. I also observed several large "RJ May" campaign signs leaned up against the right side of the residence.

Federal Search Warrant of Target Individual's Residence and Recovery of Target Phone #1

26. On August 1, 2024, the Honorable Paige J. Gossett, United States Magistrate Judge for the District of South Carolina, approved a federal search warrant for **Target Location**.

27. On August 5, 2024, I along with agents from HSI and the South Carolina Law Enforcement Division (SLED), executed the search warrant.

28. During the search warrant, **Target Individual** identified **Target Phone #1** as being his personal phone and signed a conditional consent to search form so that I could access **Target Phone #1** and locate his attorney's phone number.

29. **Target Phone #1** was located next to a CPAP machine on a night-stand on the left side of the bed in the master bedroom of **Target Location**.

30. **Target Phone #1** matches the model number of the phone used to register the KIK account bearing username "joebidennnn69".

31. There is probable cause to believe that **Target Phone #1** belongs to **Target Individual** and that it contains evidence of violations of the Target Offense.

Assistant United States Attorney Scott Matthews has reviewed this affidavit.

I swear, under penalty of perjury, that the forgoing is true and correct to the best of my knowledge.

Respectfully Submitted,

Britton B. Lorenzen

Britton Baker Lorenzen
Special Agent
Homeland Security Investigations (HSI)

SWORN TO ME VIA TELEPHONE OR
OTHER RELIABLE ELECTRONIC MEANS
AND SIGNED BY ME PURSUANT TO
FED. R. CRIM. P. 4.1 AND 4(d) OR 41(d)(3).
AS APPLICABLE.

This 10th day of August, 2024
Columbia, South Carolina

Paige J. Gossett

The Honorable Paige J. Gossett
UNITED STATES MAGISTRATE JUDGE

Revised Attachment B

Property to be Searched for and Seized

All records on the **Target Phone #1**¹ that relate to violations of 18 U.S.C § 2252A(a)(5)(B) (**Possession of Child Pornography**) that have been committed by **Target Individual**, including:

- a. Items which tend to show possession, dominion, and control over **Target Phone #1** and items which tend to show evidence of and/or identity of the person(s) committing the Target Offense;
- b. Any records related to the ownership, operation, or creation of KIK account "joebidennnn69".
- c. All stored electronic and wire communications and data on the memory on the mobile device, including email, instant messaging, text messages, mobile applications, or other communications, contact lists, images, videos, travel records, schedule, and any other content or records on the phone related to the commission of the Target Offense;
- d. Evidence of user attribution showing who used or owned **Target Phone #1** at the time the things described in this warrant were created, edited, or deleted, such as logs, phonebooks, saved usernames and passwords, documents, and browsing history;
- e. Any child pornography or other images, videos, or records that pertain to the Target Offense;
- f. Evidence indicating the device user's state of mind as it relates to the Target Offense;
- g. Any and all materials or items that may be sexually arousing to individuals who are interested in minors, but which are not in and of themselves obscene or which do not necessarily depict minors involved in sexually explicit conduct. Such material is commonly known as "child erotica" and includes written materials dealing with child development, sex education, child pornography, sexual abuse of children, incest, the prostitution of children, missing children, child exploitation, sexual disorders, and pedophilia.

¹ Agents are only seeking authority to search for items stored/recorded on **Target Phone #1**. Agents are not seeking, nor do they intend to use **Target Phone #1** to remotely access any other electronic database(s).

UNITED STATES DISTRICT COURT

for the

District of South Carolina

In the Matter of the Search of)

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

Target Phone #1 as particularly described in)
attachment A to the search warrant affidavit of SA)
Britton Lorenzen dated August 6, 2024)

Case No. 3:24-cr-00656

WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search and seizure of the following person or property located in the _____ District of _____ South Carolina

(Identify the person or describe the property to be searched and give its location):

See attachment A to the affidavit of HSI Special Agent Britton Lorenzen.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal (Identify the person or describe the property to be seized):

See attachment B to the affidavit of HSI Special Agent Britton Lorenzen

YOU ARE COMMANDED to execute this warrant on or before August 20, 2024 (not to exceed 14 days)

in the daytime 6:00 a.m. to 10:00 p.m. at any time in the day or night because good 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 The Honorable Paige J. Gossett
(United States Magistrate Judge)

Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box)

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

Date and time issued: August 6, 2024
4:18 p.m.
City and state: Columbia, South Carolina


Paige J. Gossett
Judge's signature

Paige J. Gossett, United States Magistrate Judge
Printed name and title

Return

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(s) of any person(s) seized:

Certification

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date: _____

Executing officer's signature

Printed name and title

UNITED STATES DISTRICT COURT

for the
District of South Carolina

In the Matter of the Search of)
(Briefly describe the property to be searched)
or identify the person by name and address))
Target Phone #1 as particularly described in)
attachment A to the search warrant affidavit of SA)
Britton Lorenzen dated August 6, 2024)

Case No. 3:24-cr-00656

WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search and seizure of the following person or property located in the _____ District of _____ South Carolina
(identify the person or describe the property to be searched and give its location):

See attachment A to the affidavit of HSI Special Agent Britton Lorenzen.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal (identify the person or describe the property to be seized):

See attachment B to the affidavit of HSI Special Agent Britton Lorenzen

YOU ARE COMMANDED to execute this warrant on or before August 20, 2024 (not to exceed 14 days)
 in the daytime 6:00 a.m. to 10:00 p.m. at any time in the day or night because good 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.

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

Date and time issued: August 6, 2024
4:18 p.m.
City and state: Columbia, South Carolina

Paige J. Gossett
Judge's signature

Paige J. Gossett, United States Magistrate Judge
Printed name and title

Return

Case No.:	Date and time warrant executed: 08/08/2024 2:23 pm	Copy of warrant and inventory left with: N/A
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Inventory made in the presence of :
Special Agent Britton Lorenzen and Computer Forensics Agent Erik Kline

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

Samsung Cell Phone Model SM-G781U1; IMEI: 351675643599503 (Dark Blue color)

FITSNEWS

Certification

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date: 08/14/2024

Britton B. Lorenzen

Executing officer's signature

Britton B. Lorenzen, Special Agent, HSI

Printed name and title

Print

Save As...

Reset