

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF MICHIGAN, SOUTHERN DIVISION

In the Matter of the Search of
(Name, address or brief description of person or property to be searched)

15048 Forrer Street
Detroit, Michigan 48227

SEARCH WARRANT

CASE NUMBER: 1:07-MJ-615

Clerk of Court
Ronald [Signature]
By: [Signature]
Deputy U.S. Marshal
Date: 4/16/07

TO: Agents of the Federal Bureau of Investigation and any Authorized Officer of the United States

Affidavit having been made before me by James K. Shearer, who has reason to believe on the premises known as (name, description and/or location)

15048 Forrer Street, Detroit, Michigan, 48227, and its appurtenant structures, further described as a brown two-story brick structure with brown wood siding. Two white metal awnings cover the front porch sitting area and front door. The entrance of the residence consists of a white exterior wrought-iron ornamental door and a white front door, and the numerals "15048" are displayed vertically on a white sign to the right of the door. A concrete driveway runs along the right side of the structure, passing through a chain-link gate to a white detached garage located behind the primary structure.

in the Eastern District of Michigan, there is now concealed a certain person or property, namely (describe the person or property)

SEE ATTACHMENT A

I am satisfied that the affidavits (s) and any recorded testimony establish probable cause to believe that the person or property so described is now concealed on the person or premises above-described and establish grounds for the issuance of this warrant.

YOU ARE HEREBY COMMANDED to search on or before April 16, 2007
(not to exceed 10 days) the person or place named above for the person or property specified, serving this warrant and making the search (in the daytime - 6:00 A.M. to 10:00 P.M.) ~~(at any time in the day or night as I find reasonable cause has been established)~~ and if the person or property be found there to seize same, leaving a copy of this warrant and receipt for the person or property taken, and prepare a written inventory of the person or property seized and promptly return this warrant to the Honorable Ellen S. Carmody, U.S. Magistrate Judge, as required by law.

April 6, 2007
Date Issued

at

Grand Rapids, Michigan

Ellen S. Carmody
U.S. Magistrate Judge

Honorable Ellen S. Carmody
U.S. Magistrate Judge

Signature of Judicial Officer

ATTACHMENT "A" to Search Warrant

Tangible Items and Documents

1. Pamphlets, documents, literature, or materials in any form regarding the Animal Liberation Front (ALF) and Earth Liberation Front (ELF).
2. Retail receipts, credit card statements, bank statements, ATM receipts for the purchase of materials used in the construction of incendiary devices, i.e. gas, sponges, fireworks, timer(s), fuses, etc..
3. Retail receipts, credit card statements, bank statements, ATM receipts, or other contemporaneous documents tending to prove that Marie Mason or Frank Ambrose were in the vicinity of the Ice Mountain plant in Stanwood, Michigan in the days surrounding September 22, 2003.
4. Maps, documents, or materials in any form regarding the September 22, 2003 attempted arson of Ice Mountain pump station located in Stanwood, Michigan.
5. Improvised explosive and/or incendiary devices, or components for same.

Digital Storage Media

6. If digital storage media such as computer hard drives, CDs, backup tapes etc. are found, the Government may search such media for evidence that the Internet was used to access web-sites maintained by the ALF and/or ELF, that information regarding "direct actions" and construction of incendiary devices was obtained from these web-sites, and that Frank Ambrose and/or Marie Mason communicated with ELF regarding direct actions, including the Ice Mountain arson attempt. First, assuming the setting and circumstances are appropriate, the FBI forensic specialist will attempt to make a duplicate image and possibly a logical copy of any hard-drives on the premises to be searched.
7. If that occurs and the copying is successful, the searching agents will discuss with the owner of the seized media the question of who keeps the copy and who keeps the original media. If such discussion determines that the owner requires the logical copy for some reason, and the Government does not suspect that such a logical copy or duplicate image contains contraband, the Government will provide such a logical copy or duplicate image to the owner of the seized media.
8. If the onsite imaging process is successful, and discussion with the owner of the seized media reveals that the owner requires the original media for some reason, the Government will seek a stipulation from the target of the investigation and the owner of the seized media that the duplicate image is an accurate copy of the original. If the owner of the seized media and the target of the investigation will so stipulate, the original media will be returned to the owner. If not, the Government may remove the media for examination.

9. With respect to hard-drives, if removal is necessary the Government may remove any hard-drives found on the premises from the location to be searched for purposes of imaging, and to have the images examined in a controlled environment by trained personnel using special software and hardware. With respect to other digital media such as CDs, floppy disks, and "thumb" or "jump" drives, because the Government does not at present have reasonably available resources to image those media on-site, it may seize and remove those media for imaging in a controlled environment.

10. Whether the storage media are seized or not, the Government may search that media for evidence of the offenses in areas such as stored word processing documents, digital images, stored e-mail, address books containing lists of contacts, web bookmarks, temporary internet files, Internet histories, chat bookmarks and chat logs, deleted files, unallocated clusters, slack space, and the registry.

11. Within a reasonable time after its seizure, the Government shall make available for pick up by the owner all storage media found not to contain any contraband or material to be seized pursuant to the warrant, and all hardware and software which is no longer needed for examination purposes. In conducting the search, the forensic agent will examine files regardless of their name because such names can be altered to conceal their actual content. Because of the volume of data to be searched and the need to complete the examination in a reasonable time, the forensic agent will also use computer techniques such as keyword searches which may display irrelevant material.

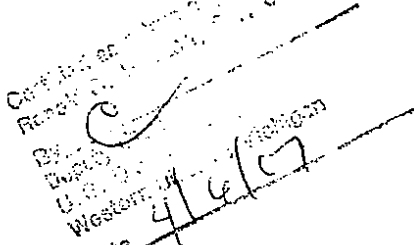
12. The Government will file a return within seven (7) days of the search that will include a list of digital storage media that were seized, and an estimate of the time required to image and perform a preliminary search of that media. The purpose of such a preliminary search is to determine if the seized media contains any evidence, so that media without evidentiary value can be returned.

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF MICHIGAN, SOUTHERN DIVISION

In the Matter of the Search of
(Name, address or brief description of person or property to be searched)

15048 Forrer Street
Detroit, Michigan 48227



APPLICATION AND AFFIDAVIT FOR SEARCH WARRANT

CASE NUMBER: 1:07-MJ-615

I James K. Shearer, being duly sworn, depose and say:

I am a Special Agent, Federal Bureau of Investigation and have reason to believe

on the property or premises known as (name, description and or location)

15048 Forrer Street, Detroit, Michigan, 48227, and its appurtenant structures, further described as a brown two-story brick structure with brown wood siding. Two white metal awnings cover the front porch sitting area and front door. The entrance of the residence consists of a white exterior wrought-iron ornamental door and a white front door, and the numerals "15048" are displayed vertically on a white sign to the right of the door. A concrete driveway runs along the right side of the structure, passing through a chain-link gate to a white detached garage located behind the primary structure.

in the Eastern District of Michigan, there is now concealed a certain person or property, namely (describe the person or property to be seized)

SEE ATTACHMENT A

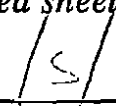
which is (state one or more bases for search and seizure set forth under Rule 41(b) of the Federal Rules of Criminal Procedure)

evidence of the commission of a federal crime instrumentalities and fruits of said crime

concerning a violation of Title 18 United States Code, Section(s) 844(i) and 2332a(a)(2)(A) & (D)

The facts to support a finding of Probable Cause are as follows:

See attached affidavit - continued on the attached sheet and made a part hereof.


Signature of Affiant James K. Shearer

Sworn to before me, and subscribed in my presence

April 6, 2007

Date

at

Grand Rapids, Michigan

Honorable Ellen S. Carmody

U.S. Magistrate Judge

Ellen S. Carmody

U.S. Magistrate Judge

Signature of Judicial Officer

ATTACHMENT "A" to Search Warrant Application

Tangible Items and Documents

1. Pamphlets, documents, literature, or materials in any form regarding the Animal Liberation Front (ALF) and Earth Liberation Front (ELF).
2. Retail receipts, credit card statements, bank statements, ATM receipts for the purchase of materials used in the construction of incendiary devices, i.e. gas, sponges, fireworks, timer(s), fuses, etc.
3. Retail receipts, credit card statements, bank statements, ATM receipts, or other contemporaneous documents tending to prove that Marie Mason or Frank Ambrose were in the vicinity of the Ice Mountain plant in Stanwood, Michigan in the days surrounding September 22, 2003.
4. Maps, documents, or materials in any form regarding the September 22, 2003 attempted arson of Ice Mountain pump station located in Stanwood, Michigan.
5. Improvised explosive and/or incendiary devices, or components for same.

Digital Storage Media

6. As stated in the Affidavit, there is probable cause to believe that records and documents subject to seizure will exist in digital storage media such as computer hard drives, CDs, backup tapes, jump drives, etc. Specifically, there is probable cause to believe that examination of these media will disclose that the Internet was used to access web-sites maintained by the ALF and/or ELF, that information regarding "direct actions" and construction of incendiary devices was obtained from these web-sites, and that Frank Ambrose and/or Marie Mason communicated with ELF regarding direct actions, including the Ice Mountain arson attempt. When the persons controlling such media are suspected of being involved in the criminal activity, the forensic examination of that digital storage media has two steps. First, an exact copy must be made of the original data. This process is known as "imaging" and will be referred to hereafter as a "duplicate image." Second, the data on the duplicate image must be analyzed for information pertinent to the case. Both of these steps require special equipment, trained personnel, and time. The imaging step is likely to take more than half a day, and the analysis step can take several days or even weeks. Also, the equipment and personnel to perform these steps are subject to competing claims in other matters, which may delay the performance of these tasks. The ideal is to perform these steps under controlled conditions, such as government facility equipped for the examination of digital evidence. This warrant seeks the authority to remove the seized digital media to such a facility for imaging and analysis.

7. Because Affiant anticipates that any seized digital media may simply be containers of evidence rather than instrumentalities of the offense, the Government anticipates that the search team will include a trained FBI computer forensic specialist. This person will

have the ability to make a duplicate image and he or she will have equipment to make a duplicate image of a routine computer. This forensic specialist will also be able to make a non-forensic or "logical" copy of the seized media. Such a logical copy contains all the files deliberately stored by users, but not the deleted files or the data stored by the operating system without the user's knowledge. Assuming the setting and circumstances are appropriate, this forensic specialist will attempt to make a duplicate image and possibly a logical copy on the premises to be searched.

8. If that occurs and copying is successful, the searching agents will discuss with the owner of the seized media the question of who keeps the copy and who keeps the original media. If such discussion reveals that the owners requires the logical copy for some reason, and the Government does not suspect that such a logical copy or duplicate image contains contraband, the Government will provide such a logical copy or duplicate image to the owner of the seized media.

9. If the onsite imaging process is successful, and discussion with the owner of the seized media reveals that the owner requires the original media for some reason, the Government will seek a stipulation from the target of the investigation and the owner of the seized media that the duplicate image is an accurate copy of the original. This is done to preserve the evidentiary value of the duplicate image. If the owner of the seized media and the target of the investigation will so stipulate, the original media will be returned to the owner. If not, the Government seeks authority to remove the media for examination in a government facility as described above.

10. If removal is necessary, the Government seeks authority to remove the hard drive(s) from the location to be searched for purposes of imaging, and to have the images examined in a controlled environment by trained personnel using special software and hardware. To enable the storage media, particularly a hard drive, to function, it is necessary to take not only the media itself, but also all software and hardware used with that media. Since the software or hardware may turn out to be unfamiliar, or may be protected by such computer security devices such a passwords, it is also necessary to seize all manuals, notes, and other material for use in bypassing those computer security devices or otherwise enable the hardware and software to function.

11. The Government does not at present have reasonably available resources to image other digital media such as CDs, floppy disks, and "thumb" or "jump" drives on-site. For that reason, the Government seeks authority to seize and remove those media for imaging in a controlled environment. The Government believes that it will be able to return all seized digital media, including hard-drives, within one week.

12. Therefore, this warrant seeks permission to; a) seize the digital storage media together with hardware, software, and computer security devices including notes which may contain passwords that are found at the location to be searched and are believed to be necessary to read the seized digital storage medial; b) image the digital storage media; and c) search the image(s) for evidence of the offense in areas such as stored word processing documents, digital

images, stored email, address books containing lists of contacts, web bookmarks, temporary internet files, Internet histories, chat bookmarks and chat logs, deleted files, unallocated clusters, slack space, and the registry.

13. The time period required for the examination is uncertain, but the Government will make available to the owner for pick up within a reasonable time all storage media found not to contain any contraband or materials to be seized pursuant to the warrant and all hardware and software which is no longer needed for examination purposes. In conducting the search, the forensic agent will examine files regardless of their name because such names can be altered to conceal their actual content. Because of the volume of data to be searched and the need to complete the examination in a reasonable time, the forensic agent will also use computer techniques such as keyword searches which may display irrelevant material.

14. The Government will file a return within seven (7) days of the search that will include a list of digital storage media that were seized, and an estimate of the time required to image and perform a preliminary search of that media. The purpose of such a preliminary search is to determine if the seized media contains any evidence, so that media without evidentiary value can be returned.

AFFIDAVIT

Your affiant, James K. Shearer, having been duly sworn, states the following:

1. I am a Special Agent with the Federal Bureau of Investigations (FBI) and am assigned to the Detroit Field Division, Grand Rapids Resident Agency, Grand Rapids, Michigan. I have been a Special Agent with the FBI for two years. Prior to joining the FBI, I was a police officer with the Wilmington Police Department in Wilmington, North Carolina for over five years. Since my assignment to the Detroit Field Division, Grand Rapids Resident Agency, I have worked primarily counter-terrorism matters, specifically domestic terrorism. The information contained herein is based upon my personal knowledge and knowledge gained by, through, and from other federal, local or state law enforcement officials, and witnesses who provided information I deem reliable.

2. This affidavit is being submitted in support of an application for a search warrant authorizing the search of the residential property located at 15048 Forrer Street, Detroit, Michigan, 48227, which is located in the Eastern District of Michigan. Affiant is advised by the U.S. Attorney's Office for the Western District of Michigan that, pursuant to Fed. R. Crim. P. 41(b)(3), a magistrate judge of this Court has the authority to issue a search warrant for property outside this district in this investigation because this is an investigation of domestic terrorism, as that term is defined in 18 U.S.C. § 2331(5), that occurred in this district.

3. The residence is a brown, two-story brick structure with brown wood siding. Two white metal awnings cover the front porch sitting area and front door. The entrance of the residence consists of a white exterior wrought-iron ornamental door and a white front door, and the numerals 15048 are displayed vertically on a white sign to the right of the door. A concrete driveway runs along the right side of the structure, passing through a chain-link gate to a white detached garage located behind the primary structure. Based upon the information provided within this affidavit, Affiant submits that there is probable cause to believe that a search of the property will discover documentary and tangible evidence of a violation of 18 U.S.C. § 844(i) [attempted arson of a facility affecting interstate commerce] and 18 U.S.C. §§ 2332a(a)(2)(D) and (c)(2)(A) [conspiracy and attempt to use a destructive device affecting interstate commerce] that occurred on or about September 22, 2003, at the pump station of Ice Mountain Bottling Company, located in Stanwood, Michigan. Affiant submits also that there is probable cause to seize and search any digital media, as more fully set forth in Attachment "A" to the Search Warrant Application.

The Offense Under Investigation

4. On September 22, 2003, Mecosta County Sheriff John Sonntag contacted the Federal Bureau of Investigation (FBI) Grand Rapids Resident Agency to report that the Ice Mountain Bottling Plant located south of Rodney, Michigan had been broken into and that four (4) incendiary devices had been placed throughout the facility. Investigation revealed the facility was infiltrated and the devices were placed sometime between 7:30 a.m. on September 20, 2003 and 1:30 p.m. on September 22, 2003.

5. Each device was constructed from a plastic, two liter soda bottle filled with a dark flammable liquid; each bottle had a sponge affixed to it with masking tape. The bottles were placed throughout the station, with a trail of liquid spilled onto the floor to disburse the flames from one bottle to the next. One of the bottles had an igniter device attached to it. The igniter device consisted of a timer, a battery, and two bottle-rocket engines taped to the bottle. The device came apart when the ignition component detonated, and therefore failed to ignite the liquid and the additional incendiary devices retrieved from inside the station.

6. Chemical forensic examinations conducted by the FBI Laboratory identified residues of gasoline within specimens extracted from the sponges affixed to each of the soda bottles. Liquid samples extracted from each of the soda bottles were identified as gasoline. No ignitable liquids were identified in swab samples of the liquid located on the floor of the pump station. However, the specimen contained naphthalene compounds and other hydrocarbons consistent with residues from extremely weathered gasoline or other similar petroleum products. Gasoline, as well as other petroleum products, are often indistinguishable from one another after extreme weathering.

7. On September 23, 2003, the website of the "Earth Liberation Front" (ELF) carried a news release in which ELF claimed responsibility for placing timed incendiary devices at the Ice Mountain pumping station. The release stated the devices were placed on the night of September 21, 2003.

ELF and Environmental Terrorism Generally

8. Based upon my training and experience, I am aware that ELF is an international radical environmental-rights organization dedicated to ending, by both legal and illegal means, activities it considers harmful to the environment. ELF has no formal leadership nor official membership rosters, but is comprised of individuals who form into small groups called "cells" for the purpose of committing illegal acts, referred to as "direct actions." These direct actions are designed to intimidate commercial entities the organization identifies as constituting a threat to the natural environment into ceasing their offending activities. These direct actions typically consist of trespassing upon the premises of commercial organizations in order to commit violent acts of property destruction, i.e. vandalism, arson, bombings, etc.

9. Based on my training and experience, I know that the "Animal Liberation Front" (ALF) is a radical organization that is closely aligned with ELF. ALF is an organization dedicated to animal rights issues that also pursues its goals through both legal and illegal means and is very supportive of ELF. The "Animal Liberation Primer" is the ALF handbook and it provides instructions for conducting "hits" on targets of interest. These instructions include using tactics such as dealing with law enforcement, the construction of incendiary devices, security measures, and instructions on carrying out basic and advanced operations against targets of interest.

10. The "Animal Liberation Primer" is not distributed by ALF in a tangible, hard-copy form, but is available over the Internet on ALF's website at [www.animalliberationfront.com]. ALF's website also provides links to various ELF publications and acknowledges similarities between both organizations and their operating tactics. Due to its easy accessibility, the ALF handbook is utilized by both members of ALF and ELF as a source of guidance and instruction in conducting direct actions against targets of interest.

Ice Mountain a Target of Environmental Activist Groups

11. As stated in Paragraph 7, ELF's website claimed responsibility for the attempted arson immediately after it occurred. At the time of the incident, two other groups were also trying, through apparently lawful means, to stop Ice Mountain from pumping water from the aquifer. These groups were the "Michigan Citizens for Water Conservation" (MCWC) and the "Sweetwater Alliance." MCWC pursued its objective through litigation, and Sweetwater Alliance held protests at the Ice Mountain water bottling plant. Ice Mountain Water is a subsidiary company of Nestle Waters North America Inc., and both Nestle and Ice Mountain were the targets of protests initiated by members of the MCWC and Sweetwater Alliance.

12. The Sweetwater Alliance website currently provides extensive information and articles pertaining to the organization's "Nestle/Ice Mountain project" As of March 29, 2007, the website displayed an informational background statement summarizing the organization's involvement in protesting the Nestle/Ice Mountain agenda. A portion of the background statement reads as follows:

Leading the charge against Nestle have been Michigan Citizens for Water Conservation (MCWC) and Sweetwater Alliance. Though strategically divergent (MCWC has spearheaded a legal fight against Nestle; Sweetwater, direct actions and boycotts), the groups are increasingly united by a common critique (sic): Water, as a resource essential to life, must be considered a right of all living things and protected for the benefit thereof. Any efforts to commodify (sic) water - whether by water bottlers or private water firms - must be opposed.

Based on my training and experience, and as stated in Paragraph 8 of this affidavit, your affiant is aware that ELF uses the term "direct action(s)" to refer to criminal acts directed against targets of interest by these groups.

13. The Sweetwater Alliance also has ties to EarthFirst! and ELF, and a Sweetwater Alliance representative was quoted in the "The Pioneer," a newspaper in Big Rapids, Michigan, asserting that whatever the outcome of the MCWC litigation, the Alliance would stop Ice Mountain from pumping water "one way or another." At the time of the attempted arson, MCWC's civil trial had been completed but a verdict had not been returned.

14. Contained within the ALF handbook are instructions for the construction of

incendiary devices similar to those recovered from the Ice Mountain pump station. As described in the manual, the devices consist of three main components: fuel-filled jugs, sponges, and timed igniters. Additionally, the instructions recommend the use of a spare fuel-filled jug for every four incendiary devices in order to douse the surrounding area and sponges affixed to the exterior of the devices.

Frank Ambrose and Marie Mason Suspects in 2003

15. Known EarthFirst!/ELF member Frank Ambrose and his wife Marie Mason resided in the Detroit, Michigan area at the time of the attempted arson, and Mason's parents resided in the Stanwood, Michigan area, near the targeted Ice Mountain pump station. Ambrose and Mason both lived in Indiana prior to moving to Michigan in 2001. During his residency in Indiana, Ambrose was developed by the FBI's Indianapolis Field Division as a suspect in a series of related ELF incidents that occurred in 2000, but sufficient evidence to prosecute was not developed. One of these incidents involved the tactic of "tree-spiking." Tree-spiking is a direct action tactic designed to interfere with logging that involves driving steel spikes into the trunks of trees and then obscuring the spikes' points of entry. When a chain-saw or lumber mill circular saw hits the spikes the chain or blade is destroyed; the tactic also creates a significant risk of serious physical injury to the logger. On June 26, 2000, the Indiana Department of Natural Resources discovered that a high number of spikes had been driven into numerous trees marked for removal in the Morgan-Monroe State Forest and the Yellowwood State Forest. In a June 29, 2000 communique, the ELF claimed responsibility for the tree-spikings and declared that the purpose of the act was to discourage logging activities in state forests. The subsequent state investigation determined that at about 8:43 PM on June 23, 2000, an individual had purchased four boxes of ten-inch steel spikes and one box of eight-inch steel spikes at a Lowes Hardware Store in Bloomington, Indiana. The number of spikes purchased was approximately the same as the number of spikes discovered in the booby-trapped trees. The cash purchase was recorded by the store's surveillance videotape, and the image of the purchaser bore a strong resemblance to Ambrose. The photo was not clear enough to conclusively identify Ambrose as the purchaser, however, and the local prosecutor dismissed the charge before trial.

16. Since Ambrose and Mason moved from Indiana to Michigan there have been no ELF-related incidents in Indiana. In contrast, three (3) out of the four (4) ELF incidents that have occurred in Michigan since 1999 – an arson in Washtenaw County, an arson in Macomb County, and the attempted arson at the Ice Mountain Bottling Plant in Mecosta County – have taken place since Ambrose and Mason moved to Michigan.

17. In 2004, Internet connection records for Frank Ambrose were obtained by legal process. Analysis of those records disclosed that Ambrose had visited several web sites that were consistent with involvement in the Earth Liberation Front. In particular, the analysis showed that the IP address 142.179.66.120 was recorded 196 times. An "IP address" is a unique number assigned by an Internet Service Provider (ISP) to a specific on-line computer that allows that computer to access the ISP's host computer, which ultimately allows access to the Internet.

In this instance, it was determined that the IP address 142.179.66.120 had been assigned to www.earthliberationfront.com when Ambrose contacted it.

Recent Discovery of New Evidence Against Ambrose and Mason.

18. The owner of a business named "R.W. Hydraulics, Incorporated," located at 13082/13078 Inkster Road, Redford, Michigan, shares a commercial trash dumpster with an adjacent business named "Lumber Liquidators." The dumpster is emptied three times each week on Monday, Wednesday, and Friday. The owner of R.W. Hydraulics routinely checks the dumpster for items such as steel, cardboard, wood, and plastic scraps that may have been discarded by Lumber Liquidators but which are of use to his trade. In his experience, the dumpster is never used by members of the general public, and only materials discarded by R.W. Hydraulics and Lumber Liquidators are typically found in it. On Saturday morning, March 17, 2007, the owner checked the dumpster and retrieved scrap cardboard for use in a painting job. He checked the dumpster again at 8:00 a.m. the next day, Sunday, March 18, 2007, and discovered four containers that had not been there the day before, sitting together on top of the scrap materials normally found in the dumpster. The containers consisted of a banker's box containing assorted documents; a wicker basket containing assorted items; and two boxed gas-masks, one of which was labeled "Frank's gas mask". Upon closer examination, the wicker basket was found to contain women's clothing; a toxic waste sticker; several EarthFirst! magazines; photographs of various acts of arson and/or explosions; a map of Mecosta County, Michigan, with the area East of Stanwood, Michigan, near the Ice Mountain pump station, highlighted; an M-80 explosive device, possession of which is illegal in Michigan; a large block of candle wax; and a 3-inch-wide canvas strap approximately 10 feet in length. According to FBI Special Agent Bomb Technicians (SABT), these materials are common components of incendiary devices. The banker's box contained financial and e-mail records, and assorted other documents, bearing the names of Marie Mason and Frank Ambrose. The recovered printouts consisted of e-mail correspondences between Marie Mason and various individuals. The printouts identified an additional email account for Mason, mmasondnfi@yahoo.com.

19. The owner of R.J. Hydraulics notified the Redford Police Department. The items were collected and were then transferred to FBI Special Agent Leslie Larsen, Detroit Field Division.

20. A review of the Wayne County, Michigan, Register of Deeds Database lists Frank Ambrose as the registered owner for the property located at 15048 Forrer Street, Detroit, Michigan. These same records indicate Ambrose acquired the property in March 2004. The approximate distance from the Ambrose/Mason residence at 15048 Forrer Street, Detroit, Michigan to the dumpster at 13082 Inkster Road, Redford, Michigan is eight (8) miles.

21. [REDACTED]

[REDACTED]

22. The Sweetwater Alliance website, www.waterissweet.org, currently lists contact information for Sweetwater Alliance Detroit as P.O. Box 44173, Detroit, Michigan 48244. The website lists telephone numbers and email addresses for Ambrose and Mason. Mason's telephone number and email address are listed as (313)838-8488 and forestsforever62@yahoo.com. Ambrose's contact information provides the telephone number (313)580-7484 and email address snakeman1549@yahoo.com. Business records for Sweetwater Alliance, Michigan were queried through open source databases for individuals listed as possible associates, employees, and/or executives for the organization. These records identified Marie Mason, email address: forestsforever62@yahoo.com, as a spokesperson for the Alliance. Ambrose's contact information provided the telephone number (313)580-7484 and email address snakeman1549@yahoo.com. Furthermore, Ambrose is identified as the point of contact for comments and suggestions pertaining to information displayed on the website. As stated in paragraph 13 of this affidavit, that website includes a general reference to "direct actions" against Ice Mountain.

23. Subscriber information for email account forestsforever62@yahoo.com was obtained by legal process from Yahoo!, Inc, 7 First Avenue, Sunnyvale, California. The returned documents identified the listed subscriber as Marie Mason, 15048 Forrer Street, Detroit, Michigan 48227. Records indicated the account was created on August 30, 1999 at 16:51:43 GMT. Subscriber information for email account snakeman1549@yahoo.com was obtained by legal process from Yahoo!, Inc, 7 First Avenue, Sunnyvale, California. The returned documentation identified the listed subscriber as Frank Ambrose, 15048 Forrer Street, Detroit, Michigan 48227. Records indicated that account was created on June 15, 2001 at 16:05:28 GMT.

24. [REDACTED]

[REDACTED]

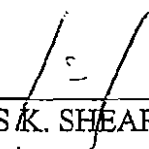
[REDACTED] Further, digital information stored within hard drives can be transferred and maintained on other digital media to include floppy disks, CD's, and "thumb" or "jump" drives. [REDACTED]

[REDACTED]

25. Based on the aforementioned, Affiant submits that there is probable cause to believe that Frank Brian Ambrose and Marie Jeanette Mason were directly involved in the September 22, 2003, attempted arson of the Ice Mountain Bottling Plant, and that they did so as members and/or at the encouragement of the Earth Liberation Front, a radical and violent

environmental activist organization that seeks to intimidate or coerce private businesses and the public into abandoning activities that the organization deems harmful to the environment. Because the Ice Mountain Bottling Plant is a facility of interstate commerce, this constituted a violation of 18 U.S.C. § 844(i), a Class C felony punishable by not less than five and not more than 20 years in prison. Because the device in question was a destructive device within the meaning of 18 U.S.C. § 2332a(c)(2)(A); because the Internet, a facility of interstate commerce, was used in furtherance of the act; and because the act would have affected interstate commerce, this also constituted a violation of 18 U.S.C. §§ 2332a(a)(2)(A) & (D), a Class A felony.

26. Affiant also submits that there is probable cause to believe that documents and tangible materials related to the noted offense, as described in Attachment "A" to the Search Warrant Application, are present at the location to be searched. Further, because ELF and ALF provide directions for property destruction and the construction of incendiary devices consistent with the devices recovered at the Ice Mountain Bottling Plant pump station, and does so exclusively over the Internet, there is probable cause to believe the computer or computers on the premises contain digital evidence, as described in Attachment "A" to the Search Warrant Application, that Ambrose and/or Mason accessed the ELF and/or ALF website prior to the attempted destruction of the Ice Mountain Bottling Plant and downloaded instructions for the devices used, and that they also used the computer to communicate with ELF to claim responsibility for the act as described in Paragraph 7 of this affidavit. Finally, because they are actively involved at the present time with "Sweetwater Alliance," an organization whose website touts "direct actions" against the Ice Mountain plant, there is reason to believe that they are still actively engaged with ELF and its criminal activities, and that they therefore have not discarded all evidence and/or instrumentalities of their involvement in the offense under investigation or related incidents.



JAMES K. SHEARER
Special Agent
Federal Bureau of Investigation

Subscribed and sworn before
me this 6 of April 2007.

: **Ellen S. Carmody**
- **U.S. Magistrate Judge**

HON. ELLEN S. CARMODY
United States Magistrate Judge