**UNITED STATES DISTRICT COURT**

**SOUTHERN DISTRICT OF TEXAS**

**HOUSTON DIVISION**

|  |  |  |
| --- | --- | --- |
| In the matter of the application of the  United States of America for an Order  Authorizing the Disclosure of Location  Based Electronic Communications Data  for Cellular Telephone  Insert cell number. | § § § § §§§§ |  |
|  |
| Case No. |
|  |
| **(UNDER SEAL)** |

**ORDER AUTHORIZING GPS LOCATION MONITORING DATA**

Before the Court is an application for a search warrant (“application”) under Federal Rule of Criminal Procedure 41 and 18 U.S.C. § 2703(c)(l)(A), to authorize the use of global positioning monitoring data (“**GPS** **Data**”) for mobile telephone number Insert cell number. ("**Target** **Device**"). **Insert Service Provider.** is the service provider of the **Target Device**. **Insert name of user.** is the user of the **Target Device**. The Court finds that there is probable cause to believe that the **GPS** **Data** is relevant to an ongoing criminal investigation by the agents of the **Insert name of agency.** (“**Investigative** **Agency**”) and will lead to evidence of violations of federal criminal statutes, including **Insert statutes.** relating to **Insert type of crime, i.e. drug trafficking.**, that have been, are being committed, and will be committed in the future.

The Court further finds reason to believe that, at this time, notice to the customer or subscriber about the contents of this Order or the application will jeopardize that ongoing investigation.

Accordingly, it is ORDERED that:

1. **GPS Data Monitoring.** **Insert Service Provider.** is authorized to provide the **Investigative** **Agency** with **GPS** **Data**, including but not limited to data indicating the specific latitude and longitude (or E-911 Phase II data or other precise location information concerning) of the **Target** **Device** (the "**Requested** **Information**") for a period of **Choose an item.** days from the date of the issuance of this Order or until such time as the investigative goals have been accomplished, whichever occurs sooner.
2. **Subject** **telephone**. This authorization applies to the **Target** **Device** and to all telephones subsequently assigned the same telephone number, electronic serial number (ESN), Mobile Identification Number (MIN) or Mobile Directory Number (MDN), Subscriber Identity Module (SIM), Mobile Subscriber Identity (MSID), International Mobile Subscriber Identifier (IMSI), International Mobile Station Equipment Identity (IMEI), Urban Fleet Mobile Identifier (UFMI), cable pair, or binding post as the **Target** **Device** for the duration of this Order.
3. **Continuing obligations for the next Choose an item. days.** For the duration of this Order, **Insert Service Provider.** is directed: (a) to furnish the **GPS** **Data** to the **Investigative** **Agency** in electronic format, at reasonable intervals, during regular business hours; (b) to notify the **Investigative** **Agency** of any change in the service provided to the **Target** **Device**; and (c) not to terminate or restrict service to the **Target** **Device** without prior notice to the **Investigative** **Agency** and the opportunity for that agency to assume financial responsibility for continued service.
4. **Compensation**. The **Investigative** **Agency** is to reimburse **Insert Service Provider.**, and any other person or entity required to furnish facilities or assistance, the reasonable costs incurred in complying with this Order, other than the cost of providing telephone toll records and listings.
5. **Location**. Pursuant to 18 U.S.C. § 3117, in the event the **Target** **Device** travels outside the Southern District of Texas, monitoring of the data may take place in any other jurisdiction within the United States.
6. **Sealing** **and** **non**-**disclosure**. This Order and application are to remain sealed for 180 days following its entry. While it remains sealed, all service providers, persons, and entities obligated to provide the assistance described, are not to disclose the existence of this Order, the **GPS** **Data** monitoring, or investigation to the listed subscriber or to any others, except to their attorneys for legal advice. If the Court authorizes any extension of this Order, the non-disclosure period shall be extended as well.

**All other authority requested in this application is denied.**

Signed on , at Houston, Texas.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Christina A. Bryan**

**United States Magistrate Judge**