UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

HOUSTON DIVISION

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| In the matter of the application of the United States of America for an order (1) authorizing installation and use of a penregister and trap and trace device or process, and (2) authorizing release of subscriber and other information pertaining to**Insert cell number.** | §§§§§§§§ |  |
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| Case No.  |
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ORDER AUTHORIZING USE OF PEN REGISTER, TRAP AND TRACE DEVICE,

AND ACCESS TO CUSTOMER RECORDS (Under Seal)

 Before the court is an application for an Order under 18 U.S.C §§ 3122, 3123 and 2703 (c) & (d), and 47 U.S.C. §1002, to authorize the use of a pen register and a trap and trace device, as well as to gain access to customer records pertaining to an electronic communications device, which is currently assigned mobile telephone number (Mobile Identification Number [MIN]) **Insert cell number..** **Insert service provider.** is the service provider of the **Target Device**. **Insert subscriber.** is the subscriber of the **Target Device**.

 The Court finds that the United States Government (“Government”), has certified that the information likely to be obtained is relevant to an ongoing criminal investigation of the **Insert agency name.** (**“Investigative Agency”**) into possible violations of **Insert statutes.**.

 The Court also finds that the Government has offered some specific and articulable facts to show reasonable grounds to believe that some, or all, of the customer information on the **Target Device**, itemized below, at paragraph **6 (A) i-vii** of this Order, is relevant and material to that ongoing criminal investigation. 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 the Government’s application is granted to the following extent:

1. **Pen register authority.** Agents of the **Investigative Agency** are authorized to have installed and to use a pen register device or process, **for a period of sixty days following the entry of this Order.** This device or process is to record and/or decode data on dialing, routing, addressing, or signaling information, including the dates and times, for all calls **from** **the Target Device** for that sixty day period. The data to be recovered under this Order is to exclude any content information.
2. **Trap and trace authority.** Agents of the **Investigative Agency** are authorized to have installed, and to use, a trap and trace device or process, **for a period of sixty days following the entry of this Order**. This device or process is to capture the incoming electronic or other impulses, which identify the originating number or other dialing, routing, addressing, and signaling information which is reasonably likely to identify the source of calls **to** **the Target Device**. The data to be recovered shall not include content information
3. **Subject parties.** **Insert service provider.**, and any other person or entity providing wire or electronic communication service in the United States whose assistance may facilitate the execution of this Order, is directed to furnish agents of the **Investigative Agency** with all information, facilities, and technical assistance necessary to install and operate the pen register and/or trap and trace device, and to do so unobtrusively and with a minimum of service interference.
4. **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.
5. **Continuing obligations for the next 60 days.** For the duration of this Order, **Insert service provider.** is directed: (a) to furnish, upon written demand, the results of the pen register and the trap and trace device, 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.
6. **Customer records.**
7. **Insert service provider.**, and any other telecommunications providers whose assistance may facilitate the execution of this Order, shall disclose to the **Investigative Agency** the following customer records, as detailed below initems **i through vii**, which are specific to the **Target** **Device**, and which are in its possession for:
	1. customer or subscriber name;
	2. address;
	3. local and long distance telephone connection records **for the 60 day period immediately preceding this Order.** These records are to include the numbers dialed, the incoming numbers, the call duration, and the cell site data which shows the location of cell towers used, signal strength information (direction and distance from a particular cell tower), and a listing of all control channels and their corresponding cell sites;
	4. length of service (including start date) and types of service utilized;
	5. telephone or instrument number or other subscriber number identity;
	6. means of payment for such service;
	7. specific identifying information, including date of birth, social security number, driver’s license number, contact names and numbers, and employment information.
8. For any incoming and outgoing numbers that are captured from the **Target Device**, as identified in item **A. iii.** above, **Insert service provider.** shall disclose to the **Investigative Agency**, if known, those customer records specified in items **6. A. i through vii** of this Order.
9. **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.
10. **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 pen register, trap and trace device, or investigation, to the listed subscriber or to any others, except their attorneys for legal advice. If the Court authorizes any extension of this Order, the non-disclosure period should be extended as well.

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

 Signed on, at Houston, Texas

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 **Christina A. Bryan**

 **United States Magistrate Judge**