**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: (1) AUTHORIZING THE  INSTALLATION AND USE OF  A PEN REGISTER AND TRAP  AND TRACE DEVICE AND  (2) AUTHORIZING RELEASE OF SUBSCRIBER AND OTHER INFORMATION FOR A MOBILE  TELEPHONE BEARING TELEPHONE  NUMBER **Click here to enter text.** | § § § § §§§§§§§§ |  |
|  |
| Case No. |
|  |
| **UNDER SEAL** |

**ORDER**

Before this Court is an application under 18 U.S.C §§ 2703 (c) & (d), 3122, and 3123, 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 **Click here to enter text.** (“The Target Device”). **Click here to enter text.** is the service provider of the Target Device. **Click here to enter text.** 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 by the use of a pen register and trap and trace device is relevant to an ongoing criminal investigation being conducted by agents of the **Click here to enter text.** (“Investigative Agency”) into possible violations of **Click here to enter text.**.

The Court also finds that the Government has offered specific and articulable facts to show that there are reasonable grounds to believe that that some, or all, of the customer information on the Target Device, itemized below, at paragraphs 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 content 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, and addressing 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 or location 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, and addressing information which is reasonably likely to identify the source of calls to the Target Device. The data to be recovered under this Order is to exclude any content or location information.
3. Subjectparties. **Click here to enter text.**, 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, **Click here to enter text.** and any other telecommunications providers whose assistance may facilitate the execution of this Order, 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 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. A. Customer records. **Click here to enter text.**, 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 in items 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, and the call duration;
   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.
7. For any incoming and outgoing numbers that are captured from the Target Device, as identified paragraphs 1 and 2 above, **Click here to enter text.**, and any other telecommunications providers whose assistance may facilitate the execution of this Order, shall disclose to the Investigative Agency, if known, those customer records in items 6 i and ii of this Order.
8. Compensation. The Investigative Agency is to reimburse **Click here to enter text.**, 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.
9. Sealing and non-disclosure. This Order and application are to remain sealed **Choose an item.** 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 to their attorneys for legal advice. If any extension of this Order is authorized by the Court, the non-disclosure period is extended as well.

Signed on **Click here to enter a date.**, at Houston, Texas.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

United States Magistrate Judge

Southern District of Texas