

IN THE THIRD DISTRICT COURT IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

AFFIDAVIT FOR SEARCH WARRANT

STATE OF UTAH)

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County of Salt Lake)

The undersigned affiant being first duly sworn, deposes and says that your affiant has reason to believe:

that on the premises known as 461 West 4800 South, #115, further described as storage unit in the Quik-Stop Self Storage complex. The business is the fourth structure east of 500 West on the South side of the street. The front of the complex is a light red brick with brown trim. The number 461 is clearly visible in white numbers above the front door, which faces to the North. The storage unit itself is inside the rear gated area of the business. Unit 115 is in approximately the center of thee northern row of storage units and faces to the north.

Articles of personal property tending to establish and document sales of a controlled substance including U.S. currency, buyer and seller lists, and other documentation of sales of a controlled substance; articles tending to establish the identity of persons in control of the premises sought to be searched including rent receipts, utility receipts, and addressed envelopes, and any other fruits or instrumentalities of the crimes of possession or distribution of a controlled substance. And that said property or evidence was unlawfully acquired or is unlawfully possessed; or has been used to commit or conceal a public offense; or is being possessed with the purpose to use it as a means of committing or concealing a public offense and consists of an item or constitutes evidence of illegal conduct possessed by a party to the illegal conduct.

Affiant believes the property and evidence described above is evidence of the crimes of Distribution and Possession of a Controlled Substance.

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trolled Substance.

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THE FACTS TO ESTABLISH THE GROUNDS FOR ISSUANCE OF A SEARCH WARRANT ARE:

Your affiant is a Salt Lake City police officer and has been a peace officer for over 3 1/2 years. Your affiant is currently assigned to the DEA/Metro Narcotics Task Force and investigates narcotic related offenses. Your affiant has had training in narcotic identification and in the investigation of narcotic related offenses. Affiant's specialized training includes the Utah Drug Academy, the Utah Clandestine Lab Course and the, and the Utah Narcotic Officers' Association annual training institute.

Your affiant has received information that the individuals who otherwise occupy 461 West 4800 South Unit #115 are engaging in an suspicious acitvity.

A Concerned Citizen told your affiant that he/she believes the person occupying the above unit are engaging in the storage of narcotics at the above storage unit. The Concerned Citizen stated that the persons who rent the storage unit, Lisa Bierly and Pete Bierly, come to the storage shed numerous times during the day, loading and unloading items from the Storage unit into back packs. The Bierlys have also asked the Concerned Citizen whether or not security cameras throughout the property covered Unit #115. The Concerned Citizen stated that he/she has observed furtive and secretive behavior, including the closing of the overhead doors of Unit #115 by the Bierlys when persons walk by.

Your Affiant knows through training and experience that persons engaging in the ongoing distribution of narcotics will often keep larger quantities of narcotics and/or money at a separate residence or storage shed to prevent detection. Affiant knows through training and experience that persons will often have "stash" locations where caches of narcotics and/or money are kept to prevent loss due to police activities and/or burglaries or robberies. Your affiant is also aware that it is uncommon for persons who lease storage sheds to visit them multiple times daily. Your affiant believes that this type of activity is consistent with narcotic related storage sheds he has investiatgated in the past.

Your affiant, with the assistance of DEA/Metro Task Force Detective Travis Rees and his PSD Pax, performed a Canine sniff of the above premise. Your affiant showed Detective Rees a row of consecutive storage sheds, one of which was #115. Detective Rees was unaware that the shed being investigated was #115. Detective Rees directed PSD Pax to perform a narcotics sniff on each of the storage units. Detective Rees then informed me that Pax indicated for narcotics only on storage unit #115.

Your affiant knows that both Pax and his handler Detective Travis Rees have current POST

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certification for narcotics, which includes searches and sniffs on storage units. Your affiant knows that Pax has participated in excess of 100 narcotic finds. Both Detective Reese and Pax have over 500 hours of training on narcotic related searches.

Your affiant desires to enter 461 West 4800 South #115; and search for narcotics, narcotics paraphernalia and other items related to the distribution of narcotics. The paraphernalia includes such items as syringes, bent spoons, pipes or tubes used to inhale or smoke narcotics. Other related items include packaging material used to package narcotics and scales used to weigh quantities. Affiant knows from training and experience that these items are almost always found on the premises where search warrants for controlled substances have been executed.

Affiant desires to search for records of narcotic sales, residency papers and U.S. currency. Affiant knows from past experiences with narcotic investigations that persons sometimes record their sales to show dates, amounts purchased and drug indebtedness. Affiant knows from training and experience that narcotics is sold for money or stolen property.

| This application for search warrant has been revie by Deputy District Attorney | ewed and approved for presentation to the court |
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| | Desired Chairman A. Word |
| | Detective Christopher A. Ward Affiant |
| SUBSCRIBED AND SWORN TO BEH | FORE ME this day of |
| 2000. | |
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| | Judge of the Third District Court |