Sample Search Warrant and Affidavit for Bank Account

STATE OF TEXAS §

 §

COUNTY OF TARRANT §

**SEARCH AND SEIZURE WARRANT**

THE State of Texas, to the Sheriff or any peace officer of Tarrant County, Texas, or any Peace Officer of the State of Texas, Greetings:

 Whereas, the affiant whose signature is affixed to the affidavit attached hereto is a peace officer under the laws of Texas and did heretofore this day subscribe and swear to said affidavit before me (which said affidavit is made a part hereof for all purposes and incorporated herein as if written verbatim within the confines of this Warrant), and whereas I find that the verified facts stated by affiant in said affidavit show that affiant has probable cause for the belief he expresses herein and establishes existence of proper grounds for issuance of this warrant;

 NOW, THEREFORE, you are commanded to enter the suspected place and premises described in said affidavit, to wit: the business known as Bank of America located at 500 W. 7th Street in Fort Worth, Tarrant County, Texas. At said location there is a bank account in the name of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, account number \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 At said places you shall search for and if same be found, seize and bring before me the property described in the affidavit, to wit:

U.S. Currency (to be seized as cashier’s check or money order, payable to \_\_\_\_\_\_\_\_\_ <name>, \_\_\_\_\_\_ County District Attorney)

 Herein fail not, but have you then and there this warrant within three days, exclusive of the day of its execution, with your return thereon, showing how you have executed same.

Issued this the 17th day of November, 2016, at 8:19 o’clock a.m., to certify which my hand this day.

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

 Judge, Criminal District Court # \_\_\_\_\_

 Tarrant County, Texas

< This series of forms appears on the CD-Rom as “1-2 Sample Search Warrants.”

STATE OF TEXAS §

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SEARCH AND SEIZURE AFFIDAVIT

I, the undersigned Affiant, am a peace officer under the laws of the State of Texas, and being duly sworn on oath, I make the following statements and accusations:

1. There is in Tarrant County, Texas, a suspected place and premises described and located as follows:

Bank of America, which is located at 500 W. 7th Street in Fort Worth, Tarrant County, Texas

2. There is at said suspected place and premises, property believed to constitute evidence, and subject to seizure and forfeiture, and is specifically described as follows:

U.S. Currency (to be seized as cashier’s check or money order, payable to \_\_\_\_\_\_\_\_, Tarrant County District Attorney)

3. Said place and premises are in charge of and control of each of the following person(s):

\_\_\_\_\_\_\_—Branch Manager

4. I believe and hereby charge and accusee that:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ did then and there commit the offense of money laundering by receiving two wire transfers of U.S. currency from his son, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, both of which are believed by affiant to be derived from criminal activity and then transferring the proceeds of these wire transfers to his personal savings account. The first wire transfer, $20,000, was received in the Bank of America checking account of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, account number \_\_\_\_\_\_\_\_\_, on or about September 12, 2016, and on or about September 13, 2016, this same amount was transferred to the savings account of \_\_\_\_\_\_\_\_\_\_\_\_\_, at Bank of America, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. The second wire transfer, $38,400, was received in the Bank of America checking account of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on or about October 12, and on or about October 18, 2016, $35,000 was transferred to the Bank of America savings account of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, account number \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

5. I have probable cause for seizure of said contraband by reason of the following facts and information:

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, am employed as a criminal investigator within the Economic & Computer Crime Unit of the Tarrant County District Attorney’s Office. I am a certified Texas peace officer and have been a peace officer for a total of approximately nine years. I have participated in numerous investigations, inclusive of theft, money laundering, and various other fraud-related matters.

On December 9, 2016, I met with Detective \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of the Mansfield, Texas police department, who advised that he had learned of a possible mortgage fraud scam involving a resident of Mansfield, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. Subsequent to this initial meeting, I opened an investigation into this matter and this investigation revealed that on or about September 1, 2016, two homes were purchased in the name of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, one located at 209 Forestridge and the other at 204 Cabotwood, both in Mansfield, Texas. On or about October 3, 2016, a third home was purchased by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ at 314 Dover Heights, also in Mansfield, Texas. All three of these purchases were made by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, under Power of Attorney for his father, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. Based upon research and investigation conducted by affiant, it is believed that the appraisals relied on by the respective lenders on the aforementioned properties were excessively inflated, causing the lender to fund the purchases at an amount well in excess of the true property value. In addition to the inflated appraisals, based upon the loan documents obtained by affiant relating to these three properties, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ submitted false information regarding his father’s monthly income, occupation and true purpose for purchasing the three homes. These submissions therefore constitute the offense of false statement to obtain property or credit over $200,000 by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

My investigation revealed that proceeds from this crime were wire transferred from the account of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to the account of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. A wire transfer in the amount of $20,000 was received in the Bank of America checking account of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, account number \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, on or about September 12, 2016, and on or about September 13, 2016, this same amount was transferred to the savings account of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ at Bank of America, account number \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. The investigation also revealed that a wire transfer in the amount of $38,400 was received in the Bank of America checking account of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, account number \_\_\_\_\_\_\_\_\_\_\_\_\_\_, on or about October 12, 2016, and on or about October 18, 2016, $35,000 was transferred to the Bank of America savings account of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, account number \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. Both separately and cumulatively, the aforementioned transactions thereby constitute the offense of money laundering.

On June 28, 2016, I interviewed \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ at his home in Pine Bluff, Arkansas. He indicated that he allowed his son, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, to use his good credit to purchase the above identified three homes in his name to help his son get started in the real estate business. He further stated that after learning all three properties were going into foreclosure, he contacted his son and inquired about selling the homes, at which time the son told him they could not sell the homes because the values had been inflated. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ also stated to affiant that after the homes had been purchased by his son, he did in fact receive two payments from his son, via wire transfer, into his Bank of America account, one in the amount of $20,000 and the other in the amount of $38,400.

I have verified that there are still funds believed to be proceeds of the felony offenses of theft, false statement to obtain property or credit, and money laundering in the Bank of America savings account of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, account number \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

WHEREFORE, I ask for the issuance of a warrant that will authorize me to search said suspected place and premises and to seize that for which is directed to search.

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

 Affiant

SUBSCRIBED AND SWORN THIS THE \_\_\_TH DAY OF \_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_, at \_\_\_\_ A.M./P.M.

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

 Judge, Criminal District Court # \_\_\_\_\_

 \_\_\_\_\_\_\_\_\_ County, Texas