

**IN THE CRIMINAL COURT FOR THE THIRTIETH JUDICIAL DISTRICT  
OF TENNESSEE**

IN THE MATTER OF THE )  
APPLICATION OF THE )  
STATE OF TENNESSEE FOR )  
AN ORDER AUTHORIZING )  
THE INTERCEPTION OF )  
COMMUNICATIONS OVER )  
THE TELEPHONE ASSIGNED )  
TELEPHONE NUMBER: )

**SUBMITTED UNDER SEAL**

**TT1:**  
**901-691-0066 (Target Telephone # 1)**  
**Cricket Wireless Communications**  
**Subscriber: "JAMES MILLER"**  
**User: KEITH BOHANON**

**AUTHORIZATION BY DISTRICT ATTORNEY GENERAL FOR  
INTERCEPTION OF WIRE AND ELECTRONIC COMMUNICATIONS**

I, Amy Weirich, District Attorney General for the 30<sup>th</sup> Judicial District, have considered and reviewed the forgoing Application to be presented to Judge John Campbell on or about June 19, 2013, by Memphis Police Officer John Overly in accordance with the requirements of T.C.A. 40-6-304. I hereby authorize this Application to be made to the Criminal Court for Shelby County for an Order authorizing the interception of wire and electronic communications of the above-listed telephone facilities.

I certify that I do not have knowledge of any previous application made under state law to any Circuit or Criminal Court Judge of the 30<sup>th</sup> Judicial District, or to any other court, for the above telephone facilities.

This is the 19<sup>th</sup> day of June 2013.

Respectfully submitted,



Amy Weirich  
District Attorney General  
30<sup>th</sup> Judicial District

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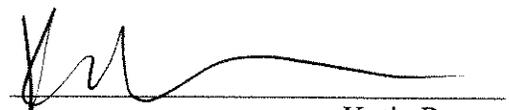
**APPLICATION**

I, Katie Rattton, Assistant District Attorney General for the Thirtieth Judicial District at Memphis, being duly sworn, state:

1. I am an investigative or law enforcement officer of the State of Tennessee as defined in § 40-6-303 (12) (A) (ii), in that I am an attorney authorized to prosecute the offenses enumerated in Tennessee Code Annotated § 40-6-305.
2. I have reviewed the Application and Affidavit of Detective John Overly of the Memphis Police Department's Organized Crime Unit and hereby authorize, on behalf and with the approval and authorization of Amy Weirich, District Attorney General for the Thirtieth Judicial District, said application to be made for an Order of the Criminal Court for the Thirtieth Judicial District at Memphis Shelby County, Tennessee authorizing the interception of wire, oral, and/or electronic communication over the telephone identified above as TT1 to conduct illicit narcotics trafficking and criminal activity.
3. I certify that I do not have knowledge of any other previous application made to any Circuit or Criminal Judge of the Thirtieth Judicial District for authorizing to intercept communications involving the persons, location, or facility that is the subject of this application

This is the 19<sup>th</sup> day of June 2013.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Katie Ratton', is written over a horizontal line.

Katie Ratton  
Assistant District Attorney General  
Thirtieth Judicial District

**DOCUMENT  
UNDER  
SEAL**

**Honorable John Campbell  
Criminal Court Judge, Division VI  
Thirtieth Judicial District**

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**User: KEITH BOHANON**

**APPLICATION AND AFFIDAVIT FOR AN ORDER AUTHORIZING THE  
INTERCEPTION OF WIRE, ORAL, AND/OR ELECTRONIC COMMUNICATIONS**

I, Detective Jonathan Overly, Memphis Police Department, being duly sworn, depose and say as follows:

**I. INTRODUCTION AND IDENTITY OF APPLICANT**

I am a Detective with the Memphis Police Department and "an investigative or law enforcement officer" of the State of Tennessee; that is, an officer of the State of Tennessee who is empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in Tenn. Code Ann. §40-6-305. I am currently assigned as narcotics investigator within the Memphis Police Department's Organized Crime Unit. I have received specialized education and training from the Memphis Police Department, the Tennessee Bureau of Investigation (TBI), the Drug Enforcement Administration (DEA), and the United States Attorney's Office for the Western District of Tennessee in the detection, investigation, and prosecution of illegal drug activity. I have been a police officer since 2003, and I have participated in numerous drug arrests, drug seizures, and drug investigations during my career as a police officer. I have successfully completed the Communications Intercept Certification School with the TBI on October 26, 2009 to October 30, 2009 authorizing me to be an applicant for a wire tap application in the state of Tennessee.

**II. AUTHORITY SOUGHT, BASIS FOR APPLICATION, AUTHORIZING OFFICIAL AND INVESTIGATIVE GOALS**

1. I submit this Application for an Order pursuant to Tenn. Code Ann. §40-6-304 authorizing the interception and recording of oral, wire, and electronic communications of KEITH BOHANON aka KEITH BOHAMON, KENITH BOHANON aka KENITH

BOHAMON, LARRY JOLLY, STARR HAMILTON, BOBBY CANADA, STEPHEN MORRISON, DAVID POLK, and KASEO HOPKINS, (the “**TARGET SUBJECTS**”) (hereinafter sometimes referred to as the “**TARGET SUBJECTS**” and collectively along with others as yet unknown referred to as the “**THE TARGET ORGANIZATION**”) concerning violations of the Tennessee Drug Control Act, Tenn. Code Ann. §39-17-417(j).

2. Authorization is sought to intercept the **TARGET SUBJECTS**’ wire, oral, and electronic communications, as well as all transactional and signaling information, transmitted by, to, or over the telephone facility assigned telephone number **901-691-0066 (Target Telephone # 1)**, a cellular telephone provided service by CRICKET WIRELESS COMMUNICATIONS and utilized by **KEITH BOHANON**.

3. The authorization sought is intended to apply not only to all communications over **TARGET TELEPHONE** listed above, but to any changed telephone number subsequently assigned to the same handset, or any changed handset still assigned the same telephone number, within the period authorized. The authorization is also intended to apply to background conversations intercepted in the vicinity of the **TARGET TELEPHONE** while otherwise in use.

4. The law enforcement agencies which will execute the interception for which authority is sought herein will be the Memphis Police Department (the “Investigating Agency”).

5. This Application has been authorized by Amy P. Weirich, the duly elected District Attorney General for the Thirtieth Judicial District, Tennessee, as evidenced by her written authorization, which is made as part of this Application.

6. This Application is made based upon investigative information supplied by commissioned police officers, law enforcement support personnel, and other confidential sources. On the basis of information derived from discussions about the investigation and review of case materials with the above individuals and others, I believe and would show as follows:

- There is probable cause to believe that KEITH BOHANON aka KEITH BOHAMON is engaged in conduct constituting the offense of conspiracy to deliver and distribute cocaine, in violation of Tenn. Code Ann. §39-17-417(j).
- There is probable cause to believe that KEITH BOHANON aka KEITH BOHAMON, has been, is, and will continue to use, during the period of interception, authorization for which is applied for herein, the telephone assigned telephone number **901-691-0066 (Target Telephone # 1)** to communicate regarding the above offenses.
- There is probable cause to believe that evidence of these offenses will be developed from the communications sought to be intercepted; specifically, the evidence from the intercepted wire, oral, and electronic communications will provide the roles of the participants in the above-enumerated offense, the location of illegal drugs, drug proceeds, and other evidence probative of KEITH BOHANON’s guilt and the guilt of others as yet unknown.

- There is probable cause to believe that other normal investigative techniques and procedures have been tried and failed or reasonably appear to be unlikely to succeed if tried, or will be too dangerous under the circumstances of this particular investigation.

### **III. Satisfaction of Investigative Predicate**

1. Applicant is aware that Tenn. Code Ann. §40-6-305 requires a violation of one of several predicate offenses before investigators can secure intercept authority. One such offense is Tenn. Code Ann. §39-17-417(j), which includes a conspiracy to distribute in excess of three hundred (300) grams of Cocaine. This requirement is satisfied as follows:

2. KEITH BOHANON is a multi-ounce cocaine dealer in Memphis who has been active for at least 21 years based on his arrest history and for at least 5 years based on your affiant and Detective Acred's investigation. It is believed that he acquires cocaine in kilogram quantities and then distributes that cocaine throughout the Riverside area of Memphis, TN. KEITH BOHANON conspires with other individuals, for instance, Larry Jolly, to make deliveries of cocaine at various meeting places throughout the Riverside community and Memphis. Further, he is believed to maintain "stash houses" at various known and unknown locations and is believed to hide his activities by utilizing other individuals, including female associates, for instance, STARR HAMILTON AND NACOLE WILLIAMS, to assist in his narcotics trafficking and hide assets.

3. Information from two cooperating sources confirms that KEITH BOHANON has been active for some time and is considered the primary distributor of cocaine in the Riverside area. During the course of the investigation, your affiant has interviewed these cooperating sources, has performed physical surveillance, has conducted controlled purchases of cocaine from KEITH BOHANON on two occasions and has received and reviewed phone records, criminal histories and other database records. Nevertheless, your affiant requests this extraordinary investigative means because your affiant has been unable to determine any source of supply for BOHANON, the true scope of BOHANON'S network, other "stash houses," selling locations, and identify the profits from his cocaine distribution. In support thereof, your affiant submits that the cooperating source information, the controlled purchases of cocaine, the "dirty calls" and corresponding surveillance establish probable cause to believe that KEITH BOHANON is utilizing and will continue to utilize TARGET TELEPHONE #1 to conduct his cocaine distribution activities.

4. On July 18, 2011 at approximately 1600 hours, Detectives William Acred and Patrick Fox met with a reliable Confidential Source (CS#3). CS#3 has given information in the past which has resulted in four (4) felony drug convictions in Shelby County Criminal Court. CS#3 positively identified a single shot photo of KEITH BOHANON aka KEITH BOHAMON as a person who is selling large quantities of cocaine in the Memphis Metro area. CS#3 further stated that KEITH BOHANON utilized cellular phone number 901-736-7832 to conduct his narcotics transactions. Detectives Acred and Fox utilized CS#3 to make a recorded phone call to KEITH BOHANON at phone number 901-736-7832. CS#3 told BOHANON that he wanted to purchase

a "9 piece" and that he wanted to know what the "ticket" that BOHANON was to charge. *(Writer's Note: CS#3 stated that a "9 piece" refers to 9 ounces of Cocaine which equals 250 grams. Investigators know that "ticket" refers to the price of the 9 ounces of Cocaine.)* BOHANON stated that it would be "77" (referring to \$7,700.00). CS#3 has also observed KEITH BOHANON selling one to two or more ounces of Cocaine at a time on numerous occasions in the past.

5. On October 6, 2011 at approximately 1000 hours, Detective Acred and I met with CS#3 regarding CS#3 purchasing 1 ounce of cocaine from KEITH BOHANON. At 1009 hours, CS#3 sent a text message to KEITH BOHANON to 901-736-7832 saying, "He wants the orange hard bruh... leaving the heaven now... txt u when i get 2 the hood." *(Writer's Note: Investigators know that "Orange hard" refers to an ounce of Cocaine in the form of Crack.)* Keith BOHANON replied with a text message, "On da way now." At 1035 hours, Detective Jackson and CS#3 arrived on Swift Street just north of Davant Ave. While in the presence of Detective Jackson, CS#3 texted Keith BOHANON "How long u gone be" and a subsequent text of "Im here in a gray buick." Keith BOHANON replied "Ok b there n 15mn." Moments later at approximately 1108 hours, a male positively identified as LARRY JOLLY who KEITH BOHANON often uses to sell cocaine, met with CS#3 and Detective Jackson and sold 21.01 grams of cocaine to CS#3 for \$999 of Organized Crime Unit funds.

6. On April 9, 2013 at approximately 0430 hours, Detectives Mark Jordan, William Acred and your Affiant conducted a trash pull at 3457 Allandale. This location has been identified to be a newly established residence of Starr HAMILTON. Starr HAMILTON is the current account holder with MLG&W utilities. HAMILTON is a known female associate of Keith BOHANON. Detectives located one white trash bag in the garbage can. Detectives took the trash bag to another location to search it. Detective Jordan located a mail document in the name of Starr HAMILTON and a cut open vacuum sealed plastic bag which contained cocaine residue. The vacuum sealed bag had a very strong odor of raw cocaine coming from it. Detective Acred hid the vacuum sealed bag and had drug detector dog "Buddy" search the area. "Buddy" did give a positive alert on the vacuum bag for the odor of illegal drugs. Detective Acred cut a small piece of the plastic bag with the cocaine residue to be tested by the Scott test. The test resulted in a blue color showing a positive test for Cocaine. Based on your Affiant's experience and training as a narcotics investigator, I know that the vacuum sealed bag recovered from the trash at 3457 Allandale is commonly used to package approximately one kilogram or more of cocaine.

7. (a) On June 3, 2013, Detectives William Acred and your affiant met with Confidential Source#4 (CS#4) who advised that Keith BOHANON was responsible for trafficking multiple kilograms of cocaine in Memphis, TN. At 1733 hours, CS#4 placed a recorded outgoing phone call to 901-690-8876. CS#4 asked Keith BOHANON if he could come get something from him. CS#4 said that he wanted to get a "half." Keith BOHANON then asked if CS#4 wanted a half of an "O" (ounce). CS#4 stated that he/she wanted a half a "J" *(Writer's Note: Investigators know that J refers to "juice" which is a common street term for ounce of Cocaine.)* Keith BOHANON stated that it would be \$650.00. At 1821 hours, CS#4 received an incoming phone call from Keith BOHANON at phone number 901-690-8876. BOHANON asked CS#4 where he/she was. CS#4 said he/she was on the way to the neighborhood (Riverside neighborhood). Detectives know BOHANON to sell most of his cocaine in the Riverside neighborhood. At 1831 hours,

CS#4 placed a call back to Keith BOHANON at 901-690-8876 and told him that he was getting off the interstate and almost to the neighborhood. "Bo" said he was still on the "slab" (term for the interstate) and would call CS#4 and tell him where to come to.

(b) Detective Acred provided CS#4 with \$650.00 of OCU funds to make the buy. CS#4 then left from Detectives Acred your affiant and drove to the Riverside neighborhood to wait on the call from KEITH BOHANON. Detective M. McNeal did observe CS#4 in the neighborhood waiting on the call.

(c) At 1852 hours, Detective Acred received a call CS#4 who advised the Bohanon called him and told him to come to the end of Rile Street. CS#4 had previously told Detectives when CS#4 saw KEITH BOHANON approximately 1 week before that he was driving a white colored Infiniti 4 door car.

(d) At approximately 1857 hours, Detective T. Richardson advised that he drove down Rile Street and observed CS#4's vehicle parked at 2136 Rile Street. Detective Richardson also advised that there was a white Infiniti parked in the driveway. *(Writer's note: Detectives have conducted surveillance on numerous occasions, observed Bohanon's vehicles parked at this location, and apparent drug transactions occurring.)*

(e) Detectives Acred and your affiant met with the CS#4 at a nearby location to retrieve the cocaine. The cocaine was packaged in one clear plastic bag. The cocaine was in one hard piece and did have a strong odor of cocaine. Your affiant photographed the cocaine. Detective Acred took the cocaine to the property and evidence room where it was tested, weighed, and tagged. The cocaine tested positive using the Scott test and weighed 15.29 grams tgw. The cocaine was tagged under evidence # 130600212.

8. I, Detective Overly, conducted a criminal background investigation into KEITH BOHANON. The investigation showed that KEITH BOHANON was arrested by the United States Marshalls on 05/06/2005 for Attempting to Possess with Intent to Distribute 489 grams of cocaine.

#### **IV. Investigative Goals**

1. Your applicant is seeking communications intercept authority because I believe that it is the only investigative technique available that will allow me to meet my investigative goals. As discussed in more detail below, normal investigative procedures have been employed but have failed, or are reasonably unlikely to succeed if attempted, or are too dangerous to employ.

2. Applicant is seeking authorization to intercept communications over the **TARGET TELEPHONE** because there is probable cause to believe that the interception of communications over the **TARGET TELEPHONE** will reveal: (1) the nature, extent and method of operation by which the **TARGET SUBJECTS**, and others as yet unknown, conduct their illicit drug trafficking business; (2) the identities and roles of accomplices, aiders and abettors, co-conspirators, and participants in their illegal activities; (3) information regarding the receipt and distribution of contraband and money involved in those illegal activities; (4) the

identification and location of items used in furtherance of those illegal activities; (5) the identification and location of records relating to those illegal activities; (6) information regarding the locations and sources of resources used to finance those illegal activities; and (7) information regarding the location and disposition of the proceeds of those illegal activities.

3. In addition, the intercepted wire communications are expected to constitute admissible evidence of the commission of the above-described offenses.

## V. TARGET SUBJECTS

The following is a list of the known principle subjects of this investigation. The information below has been derived primarily from investigation conducted to date by your Affiant and other law enforcement officers from federal, state, and local law enforcement agencies:

Name: KEITH BOHANON AKA KEITH BOHAMON  
Race/Sex: Black/Male  
Date of Birth: 11/22/1969  
SSN: 412-25-9591  
Address: 2096 Swift  
Occupation: No recent reported work history  
Cellular Telephone: (901) 691-0066 (TARGET TELEPHONE#1)  
Criminal History: Arrested 09/25/2009 for Possession of Cocaine w/i to  
Manufacture/Deliver/Sell and Evading Arrest  
Arrested 08/22/2005 for Possession of Cocaine w/i to  
Manufacture/Deliver/Sell and Aggravated Assault  
Arrested by Federal Corrections Institute at Memphis on 05/06/2005  
for Attempting to Possess with Intent to Distribute 489  
grams of Cocaine  
Arrested 11/12/2003 for Possession of a Controlled Substance w/i to  
Manufacture/Deliver/Sell and Aggravated Assault  
Arrested 09/05/2001 for Conspiracy to Distribute Crack Cocaine  
Arrested 03/06/1998 for Possession of a Controlled Substance w/i to  
Manufacture/Deliver/Sell  
Arrested 09/20/1992 for Possession of a Crack Cocaine w/i to  
Manufacture/Deliver/Sell  
Role in Organization: Upper level source supplier of Cocaine to mid level dealers

Name: KENITH BOHANON AKA KENITH BOHAMON  
Race/Sex: Black/Male  
Date of Birth: 11/22/1969  
SSN: 412-25-9697  
Address: 2096 Swift  
Occupation: No recent reported work history

Cellular Telephone: (901) 406-0881

Criminal History: Arrested 01/31/2011 for Possession of Cocaine w/i to  
Manufacture/Deliver/Sell, Possession of Drug  
Paraphernalia, and Evading Arrest

Arrested 05/30/2000 for Possession Cocaine w/i to Distribute

Arrested 03/22/1989 for Possession of a Controlled Substance w/i to  
Manufacture/Deliver/Sell

Role in Organization: Twin Brother of KEITH BOHANON and upper level supplier to  
mid level dealers

Name: LARRY JOLLY

Race/Sex: Black/Male

Date of Birth: 05/30/1960

SSN: 414-98-7210

Address: 2025 Rile

Cellular Telephone: to be determined

Criminal History: Arrested by MPD on 06/12/2001 for Possession of a Controlled  
Substance w/i to Manufacture/Deliver/Sell, Possession of a  
Controlled Substance, Possession of Drug Paraphernalia,  
Reckless Driving, No Driver's License

Arrested by MPD on 04/16/1999 for Possession of a Controlled  
Substance w/i to Manufacture/Deliver/Sell

Arrested by MPD on 11/22/1998 for Possession of a Controlled  
Substance w/i to Manufacture/Deliver/Sell

Arrested by MPD on 04/09/1996 for Possession of a Controlled  
Substance

Role in Organization: Lower level street dealer for Keith BOHANON

Name: STARR HAMILTON

Race/Sex: Black/Female

Date of Birth: 09/22/1992

SSN: 408-73-1194

Address: 3547 Allandale, Memphis, TN

Cellular Telephone: (501)316-6412

Criminal History: None

Role in Organization: female associate of Keith Bohanon, owner of possible stash house  
and transporter of cocaine for Keith BOHANON

Name: DAVID POLK

Race/Sex: Black/Male

Date of Birth: 09/15/1961

SSN: 409-15-9400

Address: 2036 Rile, Memphis, TN

Cellular Telephone: to be determined

Criminal History: Arrested for Unlawful Poss weapon-public place; found guilty

Role in Organization: Resides at 2036 Rile/ possible cocaine selling residence

Name: LYNN GILLESPIE  
Race/Sex: Black/Male  
Date of Birth: 08/19/1980  
SSN: 412-55-2136  
Address: 2136 Rile, Memphis, TN  
Cellular Telephone: (901) 230-9268  
Criminal History: Arrested 11/30/2008 for Aggravated Assault and Theft of Property  
\$500-\$1,000; sentenced to 3 years  
Arrested 10/13/2006 for Theft of Property \$500-\$1,000; sentenced to 1  
year  
Role in Organization: Resides at 2136 Rile/ possible cocaine selling residence

Name: KAESO HOPKINS  
Race/Sex: Black/Male  
Date of Birth: 11/20/1977  
SSN: 411-29-9249  
Address: 1751 Benford, Memphis, TN  
Cellular Telephone: (901)949-6106  
Criminal History: Arrested 8/30/2004 for Aggravated Assault  
Arrested 10/05/1996 for Poss Cont Sub w/i manuf/del/sell; amended  
2 months  
Role in Organization: cocaine buyer

**VI. INVESTIGATIVE ACTIVITY GIVING RISE TO PROBABLE CAUSE THAT THE TARGET ORGANIZATION EXISTS TO TRAFFIC IN ILLEGAL DRUGS, AND USES TELEPHONES TO NEGOTIATE, SCHEDULE, AND OTHERWISE FACILITATE THIS DRUG TRAFFICKING ACTIVITY.**

Because this Affidavit is being submitted for the limited purpose of securing authorization for the interception of wire communications over the TARGET TELEPHONE, I have not included each and every fact known to me concerning this investigation. I have set forth only those facts which I believe are necessary to satisfy the statutory requirements for an Order authorizing the interception of wire communications.

**VII. Information from Confidential Sources (CS)**

1. Several reliable confidential sources have given information in the past several years concerning this TARGET ORGANIZATION being responsible for the distribution of large quantities of cocaine in the Riverside community of Memphis, TN.
2. Detective William Acred first received information from a Confidential Source (CS#1) in 2008 that KEITH BOHANON sold a quarter of a kilogram of cocaine (250 grams) to a male that

CS#1 was in the company of. CS#1 was unable to provide additional information which could have led to the arrest of KEITH BOHANON due to the fact that he did not have direct ties to BOHANON and the transaction occurred in the street rather than a residence.

3. In January of 2010, Detectives of the Memphis Police Department Organized Crime Unit arrested Alexander Wilks and Teresa Wilks for being in possession of over 3 kilograms of cocaine and approximately \$90,000 in US currency (Memphis Police incident # 1001008956ME). At the time of the arrest, Teresa Wilks stated that another male from the neighborhood supplied her husband with the cocaine. Alexander Wilks refused to cooperate. Detective Acred later received information from 2 separate Confidential Sources (CS #2 and #3), which are both reliable sources, who stated that KENITH BOHANON gave the said 3 kilos of cocaine to Wilks on a consignment basis with an expected payment at a later date.

4. In July of 2011, Detectives Acred and I received information from a reliable CS (CS#3) that KEITH BOHANON is selling large quantities of cocaine in the Riverside community and is utilizing cellular telephone number (901) 736-7832 to conduct these cocaine transactions. CS#3 advised that BOHANON is part of an organization together with other family members including his brother KENITH BOHANON that is responsible for the distribution of cocaine. CS#3 stated that KEITH BOHANON often goes undetected by law enforcement due to the fact that he uses another male who was positively identified as LARRY JOLLY to sell the cocaine. CS#3 stated that KEITH BOHANON drives a gray Volkswagen Beetle and also believed that the cocaine was being stored at a location in the Whitehaven area of Memphis, TN.

5. In May of 2013, Detective Richardson introduced CS#4 to Acred and your affiant. CS#4 has previously dealt with the organization. Detective Acred and your affiant met with CS#4 and he/she information about KEITH BOHANON being the primary cocaine distributor in the Riverside community of Memphis, TN. CS#4 stated that BOHANON is responsible for obtaining at least 1 kilogram of cocaine at a time. CS#4 stated that KEITH BOHANON is difficult to arrest due to the fact that he uses other people, specifically LARRY JOLLY, to make most of the transactions for him. CS#4 provided Detectives with a cellular phone for KEITH BOHANON as 901-315-6190. Detectives did a common call breakdown using phone records from BOHANON's previous phone and found that there were many common numbers giving Detectives belief that this was BOHANON'S number. CS#4 then found out that BOHANON changed his number to 901-690-8876. Detectives utilized CS#4 to make recorded phone calls to purchase a half-ounce of cocaine from BOHANON by calling 901-690-8876. CS#4 did purchase 15.29 grams of cocaine from BOHANON. On June 4, 2013, CS#4 advised that he/she received information from BOHANON that BOHANON was now using **901-691-0066 (TARGET TELEPHONE#1)** as his cell phone and to contact him on this new number.

#### **VIII. Corroboration of Information from Confidential Sources**

1. Detectives Acred and I initiated a background investigation into the arrest histories of KEITH BOHANON and the other TARGET SUBJECTS. The arrest histories were from local and federal law enforcement agencies. The results substantiated the information given by the four Confidential Sources. KEITH BOHANON, KENITH BOHANON, LARRY JOLLY, BOBBY CANADA, and STEPHEN MORRISON all have extensive arrest histories for illegal

narcotics. Both KEITH and KENITH BOHANON have been charged in the past with federal narcotics charges. KEITH BOHANON has been charged with state felony drug charges on five (5) occasions since 09/20/1992. KEITH BOHANON has also been charged with federal drug charges on two (2) occasions since 09/05/2001. KEITH BOHANON also currently shows to be on probation in Shelby County for a period of three (3) years from 12/06/2010 for felony Unlawful Possession of Cocaine w/i to Manufacture/Deliver/Sell and Evading Arrest. KENITH BOHANON has been charged with state felony drug charges on two (2) occasions since 03/22/1989. KENITH BOHANON was arrested by the DEA on a federal drug charge on 05/30/2000 for Possession of Cocaine w/i to Distribute. LARRY JOLLY has been arrested on three (3) state felony drug charges since 04/09/2006.

2. On July 18, 2011, Detectives Acred and P. Fox met with CS#3, who placed a recorded phone call to KEITH BOHANON at phone number 901-736-7832. This CS spoke to BOHANON about purchasing a "9 piece" (a street term for 9 ounces of cocaine). BOHANON agreed to a price of \$7,700.00 for 9 of cocaine.

3. On October 6, 2011, Detective Acred and I utilized CS#3 to communicate with KEITH BOHANON who utilized TARGET TELEPHONE #1 901-736-7832 by way of text messaging in order to make a probable cause buy of cocaine from KEITH BOHANON. I observed several text messages of communication between CS#3 and KEITH BOHANON regarding CS#3 purchasing 1 ounce of cocaine. LARRY JOLLY arrived to meet with CS#3 to sell the cocaine for KEITH BOHANON. Detective R. Jackson was present and observed the transaction. The cocaine tested positive and weighed 21.01 grams tgw in the presence of Detective Acred.

4. In the court order for call records for 901-736-7832 previously mentioned, I also obtained a court order for GPS on a previous TARGET TELEPHONE. On September 27, 2011, Detective Acred and I received current GPS coordinates for 901-736-7832 near the vicinity of Rile and Davant (an intersection in the Riverside Community of Memphis, TN). Detectives Acred and I drove to this area and observed KEITH BOHANON leaning into a silver Volkswagen Beetle. On October 5, 2011, Detectives Acred and I again obtained current GPS coordinates for a previous TARGET TELEPHONE in an apartment complex in the area of Hacks Cross and Lowrance. Detectives went to this area and while conducting surveillance observed KEITH BOHANON leave an apartment and get into the same gray Volkswagen Beetle. This apartment was learned to be in the name of Nacole Williams. The Volkswagen is registered in the name of Nacole Williams. Currently, KEITH BOHANON is driving a white Infiniti car 4 door also registered to Nacole Williams.

5. Detective Acred and I obtained a court order for the telephone records of 901-690-8876 which was used by KEITH BOHANON per CS#4. The records were for a period from 5/4/13-5/30/13. The records showed that 901-406-0881 (KENITH BOHANON) had a call frequency of 267 times during the time period. CS#4 stated that KENITH BOHANON utilizes phone number 901-406-0881. Also during this time period, the calls records for 901-690-8876, showed KEITH BOHANON to be in frequent contact with phone number 501-316-6412 at a frequency of 441 times. Per MLG&W records, STARR HAMILTON utilizes 501-316-6412 as a cellular phone.

6. On June 4, 2013, Detective Acred received information from CS#4 that KEITH BOHANON changed his cell phone number to **901-691-0066 (TARGET TELEPHONE #1)** and advised CS#4 to contact him on this new phone number. This CS advised that when he talks to KEITH BOHANON on the phone it is only concerning acquiring cocaine. Note: CS#4 placed a recorded call to BOHANON in April of 2013. As soon as BOHANON answered the phone he stated that he “was not doing anything today.” BOHANON was referring to not selling any cocaine that day. By BOHANON answering the phone in that way makes Detectives believe TARGET TELEPHONE #1 is primarily used for the distribution/acquisition of cocaine. Detective Acred obtained a court order and warrant for the telephone records and subscriber information for TARGET TELEPHONE #1 number and found that this phone is being utilized by KEITH BOHANON based on the common phone numbers being called on this phone and previous target telephones. These phone records are for the time period of June 4, 2013 through June 5, 2013. (See Chart #2 to show common numbers dialed on these TARGET TELEPHONES.)

These phone records also indicated that TARGET TELEPHONE #1 is being used by KEITH BOHANON based on cell tower information. Detectives know areas frequented by BOHANON including his primary residence located at 8151 Waterford Circle # 204, the residence of HAMILTON located at 3547 Allandale, and the Riverside community. The cell tower information for calls made from TARGET TELEPHONE #1 do indicate these three areas in many of the calls which give Detectives further probable cause that TARGET TELEPHONE #1 is being used by KEITH BOHANON.

#### **IX. Criminal History/Intelligence of other Organization Members**

1. KEITH BOHANON, KENITH BOHANON, and LARRY JOLLY all have an extensive arrest history for illegal narcotics. Both KEITH and KENITH BOHANON have been charged in the past with federal narcotics charges. KEITH BOHANON has been charged with state felony drug charges on five (5) occasions since September 20, 1992. KEITH BOHANON has also been charged with federal drug charges on two (2) occasions since September 5, 2001. KENITH BOHANON has been charged with state felony drug charges on two (2) occasions since March 22, 1989.

2. Detective Acred and I have reviewed call detail records for TARGET TELEPHONE #1 **901-691-0066** and utilized Memphis Police Department databases to help establish other organization members who have been in frequent contact with KEITH BOHANON.

3. The following is a list comprised of individuals and their arrest history who investigators have reason to believe are utilizing phones that are in contact with KEITH BOHANON on TARGET TELEPHONE #1 based up the use of Memphis Police Department databases. Most of the following individuals were identified by listing the phone number on a recent incident report or record of arrest:

Name: ALBERT BOHANON  
Race/Sex: Black/Male

Date of Birth: 10/20/1949

SSN: 408-74-3312

Address: 2096 Swift

Cellular Telephone: **(901) 281-8331**

Criminal History: Arrested 03/25/1999 for Possession of Cont Substance w/i to  
Manuf/Deliver/Sell, Manuf/del/sell Cont Substance, and  
Facilitation of a felony

Arrested 01/08/1993 for Possession of Cont Substance w/i to  
Manuf/Deliver/Sell

Arrested 05/09/1992 for Possession Cont Substance w/I  
Manuf/del/sell

Arrested 01/09/1991 for Possession Cont Substance w/I  
Manuf/del/sell

Arrested 07/25/1984 for Unlawful Possession Cont Substance w/I sell  
or deliver

Role in Organization: Possible mid-level dealer

Name: BRIAN HOLMES

Race/Sex: Black/Male

Date of Birth: 08/26/1971

SSN: 409-41-8093

Address: 1509 Gausco

Cellular Telephone: **(901) 643-0185**

Criminal History: Arrested 12/13/1996 for Manuf/del/sell cont substance and Possession  
Cont Substance w/I manuf/del/sell

Role in organization: Possible mid-level dealer

Name: BOBBY CANADA

Race/Sex: Black/Male

Date of Birth: 02/15/1957

SSN: 587-02-4423

Address: Crenshaw, MS

Cellular Telephone: **(662) 519-6566**

Criminal History: Arrested 4/23/1979 for Burglary/Convicted and sentenced to 4 years

Arrested 8/31/1984 for Poss of Marijuana with intent to distribute/ a  
kilo; sentenced to 20 years

Arrested 10/06/1986 for sale of marijuana less than 1 oz/10 yr  
confinement

Arrested 10/19/1991 for sale of crack cocaine

Arrested 01/30/1992 for marijuana sales/ sentenced 10 years

Arrested 05/02/1997 for marijuana sale/sentenced 7 years

Arrested 03/03/2006 for Poss cocaine w/I manuf/del/sell sentenced to  
3 years

Role in Organization: Possible Source of supply for Keith BOHANON

Name: STEPHEN MORRISON

Race/Sex: Black/Male

Date of Birth:

SSN: 412-23-7153

Address: 205 W. Dison, Memphis, TN

Cellular Telephone: (901) 265-3624

Criminal History: Arrested 1/24/2012 for Poss marijuana w/i manuf/del/sell  
Arrested 12/19/2009 for Poss cocaine w/i manuf/del/sell  
Arrested 8/15/2007 for Manuf/del/sell cocaine; sentenced 3 years  
Arrested 7/7/2005 for Poss cocaine w/i manuf/sell/del; amended and  
sentenced to 120 days  
Arrested 06/05/1999 for manuf/del/sell; sentenced 3 years  
Arrested 3/11/1998 for Poss cont sub w/i manuf/del/sell; sentenced  
2 years  
Arrested 3/10/1993 for Poss cont sub w/i manuf/del/sell; amended and  
sentenced to 11 months 29 days

Role in Organization: Possible mid-level dealer

**X. INVESTIGATIVE ACTIVITY GIVING RISE TO PROBABLE CAUSE THAT THE TARGET TELEPHONE IS BEING USED IN FURTHERANCE OF THE [TARGET ORGANIZATION]'S DRUG TRAFFICKING ACTIVITIES.**

1. Detective Acred and I have utilized Confidential Source #3 (CS#3) to make a recorded phone call to KEITH BOHANON on a previous TARGET TELEPHONE regarding the purchasing of 9 ounces of cocaine and to communication through text messages to KEITH BOHANON on a previous TARGET TELEPHONE in order to make a probable cause buy of cocaine. Information from CS #3 that KEITH BOHANON uses LARRY JOLLY to facilitate the sale of the cocaine is evident in the pen register and call detail records.

2. The following is a summary of the 2 occasions in which CS#3 was used to make contact with KEITH BOHANON on a previous TARGET TELEPHONE:

a) July 18, 2011 at approximately 1609 hours, CS#3 placed a recorded phone call to 901-736-7832. CS#3 told KEITH BOHANON that he had some people who were coming in town and wanted to purchase a "9 piece" (referring to 9 ounces of cocaine or a quarter of a kilogram) and wanted to know what the "ticket" (price) that BOHANON was going to charge. BOHANON said that he did not have "9" right now. CS#3 replied that he did not need that today, but that it would be some day this week. BOHANON then hesitated for a second and said that it would be "77" (referring to \$7,700.00). That was the end of the call.

b) October 6, 2011 at 1009 hours, CS#3, while in the presence of Detectives Acred and Overly, sent a text to Keith BOHANON at (901) 736-7832. The message stated "He wants the orange hard bruh... leaving the heaven now... txt u when i get 2 the hood." (NOTE orange refers to an ounce.) Keith BOHANON replied "On da way now."

3. At 1035 hours, Detective Jackson and CS#3 arrived on Swift St just north of Davant Ave. While in the presence of Detective Jackson, CS#3 texted Keith BOHANON "How long u gone be" and a subsequent text of "Im here in a gray buick." Keith BOHANON replied, "Ok b there n 15mn."

4. It was apparent that while reviewing the call records on the pen register after the probable cause buy that KEITH BOHANON used this previous TARGET TELEPHONE to further the sale of the cocaine to CS#3 by way of calling LARRY JOLLY. According to the pen register, KEITH BOHANON placed an outgoing call to LARRY JOLLY at 1107 hours for approximately 1 minute. At approximately 1108 hours, LARRY JOLLY met with the CS to sell the cocaine.

5. Detective Acred and I continued our investigation after KEITH BOHANON changed his previous cell phone number but conducting surveillance in Riverside area, particularly Rile Street. Detectives also conducted surveillance on the residence of STARR HAMILTON, who based on phone tolls, surveillance, and CS information, is the operator of the stash house. On numerous days during surveillance, Detectives Acred and I observed KEITH BOHANON leave from HAMILTON'S apartment and then HAMILTON would leave her apartment and drive to Rile Street. HAMILTON would carry a large purse inside of one of several houses utilized by BOHANON and stay for only 1 or 2 minutes. Almost immediately after HAMILTON would leave, buyers would begin to show up. Detectives would observe one car at a time show up and LARRY JOLLY come out of 2136 Rile and conduct a hand to hand transaction while leaning into vehicles. Based on the fact that it was always one car at a time showing up, gives your affiant the belief that BOHANON coordinates this over his TARGET TELEPHONES.

6. On Tuesday April 9, 2013 at approximately 0430 hours, Detectives Jordan, Acred, and I did a trash pull at 3457 Allandale. This is a location that STARR HAMILTON resides and has active MLG&W utilities. This is the location where Detectives believed based on surveillance, KEITH BOHANON is using as a "stash house" or holding point until the cocaine is ready to sell. Detectives located 1 white trash bag in the garbage can. Detectives took the trash bag to another location to search it. Detective Jordan located several small marijuana blunts, a marijuana stem, a mail document in the name of Starr Hamilton, and a vacuum seal plastic bag containing white residue. The vacuum sealed bag containing a strong odor of cocaine. Detective Overly maintained custody of these items until approximately 0930 at which time, Detective Acred took possession. Detective Acred hid the vacuum sealed bag and had drug detector dog "Buddy" search the area. "Buddy" did give a positive alert on the bag for the odor of illegal drugs. Detective Acred then took the evidence to the property and evidence room at 201 Poplar. Detective Acred cut a small piece of the plastic bag with the white residue to be tested by the Scott test. The test resulted in a blue color showing a positive test for cocaine. The evidence was tagged under property receipt # 130400839. The marijuana also tested positive and weighed 0.20 grams tgw.

7. On Monday April 8, 2013 at approximately 2330 hours, Detective Acred observed a silver Infiniti 4 dr car with unknown TN tag parked in the driveway at 34587 Allandale. Detectives believe Keith Bohanon has been driving this vehicle.

8. Learning of HAMILTON'S involvement through the surveillance and the trash pull, helped show why HAMILTON is consistently one of the most dialed numbers on TARGET TELEPHONE #1. KEITH BOHANON utilizes TARGET TELEPHONE #1 to contact other members of the drug trafficking organization including STARR HAMILTON to facilitate his cocaine sales and avoid detection by law enforcement.

**XI. CALL DETAIL RECORD INFORMATION COLLECTED ON TARGET TELEPHONE**

The following chart reflects call detail record information collected by investigators on TARGET TELEPHONE #1 with a date range of 06/04/2013 through 06/05/2013. As demonstrated in the following chart, there is significant calling activity between the TARGET ORGANIZATION and the TARGET TELEPHONE considering there was only a 2 day period. (Note: these records for TT-1 were obtained 2 days after KEITH BOHANON changed to this new phone number).

<p style="text-align: center;"><i>Chart 1</i>  <i>Calls between investigative targets and the</i>  <i>TARGET TELEPHONE 901-691-0066</i>            (Pen register data analysis reflects at least as many calls as noted in "Total Calls")</p>					
Telephone Number	Target Using Number	Type of Line	Total Calls	Date of First Call Noted	Date of Last Call Noted
501-316-6412	STARR HAMILTON	Cellular	18	06/04/2013	06/05/2013
662-519-6566	BOBBY CANADA	Cellular	6	06/04/2013	06/04/2013
901-406-0881	KENITH BOHANON	Cellular	1	06/04/2013	06/04/2013
901-230-9268	LYNN GILLESPIE	Cellular	12	06/04/2013	06/04/2013
901-643-0185	BRIAN HOLMES	Cellular	6	06/04/2013	06/04/2013

This chart reflects common numbers dialed by TT-1 901-691-0066 and a previous target telephone (901-690-8876) that was utilized by KEITH BOHANON. This chart helps show that TT-1 is also a cellular phone being used by BOHANON. (Note: The records for TT-1 901-691-0066 were only for 2 days and; therefore, do not show as many records.) At the time these records, there were 49 common numbers dialed by both of these TARGET TELEPHONES.)

*Chart 2  
Common calls between TARGET TELEPHONE 901-691-0066 and previous target telephone of  
KEITH BOHANON 901-690-8876*

Common dialed numbers	901-690-8876	TT-1 901-691-0066	Total Calls	Date of First Call Noted	Date of Last Call Noted
501-316-6412	441	18	459	05/04/2013	06/05/2013
662-519-6566	74	6	80	05/04/2013	06/04/2013
901-406-0881	267	1	268	05/04/2013	06/04/2013
901-230-9268	158	12	170	05/06/2013	06/04/2013
901-643-0185	108	6	114	05/04/2013	06/04/2013
901-283-8311	319	11	330	05/04/2013	06/05/2013
901-288-0988	75	6	81	05/04/2013	06/04/2013

## **XII. EXHAUSTION OF ALTERNATIVE INVESTIGATIVE PROCEDURES**

### **Exhaustion of Alternative Investigative Procedures Generally**

1. Based upon your Affiant's knowledge, training, and experience, as well as the experience of other Special Agents of the Tennessee Bureau of Investigation, the FBI, the DEA, and other state and local officers assisting with this investigation, and the facts and circumstances set forth herein, it is your Affiant's belief that the interception of wire communications applied for herewith is the only available investigative technique which has a reasonable likelihood of revealing and securing admissible evidence needed to establish the full scope and nature of the offenses being investigated. The interception requested is necessary to further the investigation by identifying: (1) the individuals who are supplying the TARGET SUBJECTS with controlled substances, particularly cocaine; (2) the individuals associated with the TARGET SUBJECTS who are distributing controlled substances throughout Memphis, Shelby County, TN; and (3) the locations where drugs, money, and records are stored and the ways in which they are stored. Additionally, the interception of wire communications is necessary to reveal the nature, extent, and methods of operation of the drug trafficking business of the TARGET SUBJECTS, and others as yet unknown.

2. All normal avenues of investigation have been carefully evaluated for use or have been attempted with inadequate results. The following investigative techniques are customarily used by your Affiant, and other law enforcement officers, in the investigation of criminal violations of the sale and distribution of Cocaine: (1) physical surveillance; (2) confidential sources; (3) infiltration by undercover officers; (4) general and grand jury questioning, with or without grants of immunity; (5) attempted search warrants; and (6) review/analysis of telephone records. Each

of the above methods has been attempted and failed, or appears reasonably unlikely to succeed for reasons set forth below, or appears to be too dangerous to employ.

**A. Physical Surveillance**

1. Physical surveillances have been conducted and attempted on a number of occasions during the course of this investigation. On November 11, 2011, Detective Acred and I set up surveillance on Rile Street when Detectives observed KEITH BOHANON'S vehicle present at 2136 Rile. While Detectives truck was parked there, Detectives had to hide in the back seat due to a male black and female black walking up to Detective's truck and looking through the windshield. Another male then asked the male and female if they could see who was in the truck. At the point where they walked away, Detectives had to drive away to prevent from being detected as law enforcement. Although surveillance has been helpful in identifying some of the TARGET SUBJECT's associates and activities, it cannot provide the detail that may be gleaned from intercepted criminal conversations between the TARGET SUBJECTS and others as yet unidentified. Advance knowledge of meetings obtained through electronic surveillance greatly enhances the ability of investigators to conduct effective physical surveillance. The very nature of illicit drug trafficking makes the detection of transactions and deliveries very difficult to observe through physical surveillance, because thousands of dollars worth of drugs can be easily concealed or secreted in a variety of ways.

2. With regard to this investigation, physical surveillance is unlikely to establish conclusively the roles of the TARGET SUBJECTS, to identify additional conspirators, to identify the conspirators' sources of supply or otherwise to provide admissible evidence in regard to this investigation because: (1) conspirators are using counter-surveillance techniques such as erratic driving in order to detect or disrupt surveillance; and (2) the neighborhoods in which some target locations are located precludes effective surveillance because of the nature of the neighborhood.

3. The surveillance for this investigation has shown that the TARGET SUBJECT'S employ methods of counter-surveillance during their drug transactions. The neighborhood in which KEITH BOHANON conducts his drug transactions has a high volume of foot traffic on the streets. The CS advised detectives that counter surveillance measures were in place in the neighborhood. When Detectives were conducting surveillance prior to the probable cause buy, several people were in the neighborhood intently watching the CS and undercover officer as well as the surveillance team. One individual came up to the surveillance vehicle and attempted to look inside the vehicle in order to identify who was in the car. Another individual attempted to warn LARRY JOLLY to not conduct the drug transaction due to the surveillance team in the neighborhood.

4. Physical surveillance has helped show that KEITH BOHANON is using others to assist him in the sale of the cocaine and the transporting of the cocaine from one location to another. Detectives learned of the "stash house" where STARR HAMILTON lives through physical surveillance. However, arresting HAMILTON as she transports cocaine from her

residence to Rile Street where it is sold, would more than likely not infiltrate BOHANON'S cocaine selling organization.

**B. Confidential Sources**

1. Four reliable Confidential Sources have been used in this investigation, but have been unable to identify all of the co-conspirators and sources and storage locations of illegal drugs. The Confidential Sources do not have ready access to immediate and pertinent information concerning the TARGET SUBJECTS' drug trafficking. The Confidential Sources have not been able to provide information regarding the entire scope of the drug trafficking business of the TARGET SUBJECTS, to include identification of all the individual conspirators, a listing of all locations where drugs are stored, and a description of the nature and location of assets acquired by the TARGET SUBJECTS. Your affiant has attempted to make a probable cause buy of cocaine from KEITH BOHANON. The cocaine sale was redirected by BOHANON to another male by the name of LARRY JOLLY. It is your Affiant's belief that evidence to be obtained through the requested wire intercepts is essential to ensure the successful prosecution of all participants in the drug trafficking business described in this affidavit.

**C. Infiltration by Undercover Officers**

1. The use of undercover officers in this case is unlikely to succeed and is too dangerous to further employ. On October 6, 2011, Detectives utilized a CS and undercover officer together to attempt to buy an ounce of cocaine from KEITH BOHANON. A call was placed to KEITH BOHANON to order the cocaine; however, the "runner," LARRY JOLLY, actually delivered the cocaine. Also during the process, Detectives P. Fox and L. Vance were set up as surveillance. It is believed that counter-surveillance saw Detectives Fox and Vance. At that point, a male black went running down the street towards LARRY JOLLY telling him not to sell the cocaine to the CS and the undercover officer. JOLLY did make the transaction, however. Also, during the probable cause buy, a relative of KEITH BOHANON approached the CS and the undercover officer and she hesitantly questioned the identity of the officer. The Confidential Sources are also not in a position to introduce an undercover officer to KEITH BOHANON due to him distancing himself from the drug transaction by using LARRY JOLLY as a lower supplier. To date, no undercover officers have been able to infiltrate this drug trafficking business due to the close and secretive nature of the TARGET SUBJECTS and the fact that BOHANON often uses others to complete the transactions.

2. Even if an undercover officer could be introduced to one of the TARGET SUBJECTS, the officer would not be able to identify all participants in the drug trafficking business, all of the locations where drugs are stored, and all the assets acquired by the TARGET SUBJECTS. It is your Affiant's belief that the objectives of this investigation cannot be achieved through the use of an undercover officer to infiltrate the drug trafficking business of the TARGET SUBJECTS.

**D. General and Grand Jury Questioning, With or Without Grants of Immunity**

1. General questioning of co-conspirators and associates of the TARGET SUBJECTS has been considered but not attempted, because those individuals who are knowledgeable of the subjects' criminal activities are generally participants in the criminal acts and would be unwilling to provide information to investigating officers. Attempts at such general questioning would likely be communicated to the TARGET SUBJECTS, thereby compromising the investigation and possibly resulting in destruction or concealment of documents, contraband, and other evidence.

2. It is your Affiant's belief that use of the Grand Jury to obtain testimony and/or information regarding the drug trafficking activities of the TARGET SUBJECTS would not prove successful. It is anticipated that the individuals appearing before the Grand Jury would deny their involvement, and would then alert other participants in the drug trafficking business of the investigation, resulting in a compromised investigation and possible destruction or concealment of evidence. Grants of immunity could foreclose prosecution of culpable individuals and could not ensure the production of truthful testimony.

#### **E. Search Warrants**

1. The execution of search warrants in this investigation has been considered, and it is the belief of your Affiant that the use of warrants would not provide sufficient evidence to determine the full scope of the criminal conspiracy, the identity of all co-conspirators, and all of the locations at which drugs are stored. However, in the earlier part of this investigation, Detectives did obtain search warrants for two of the locations used by KEITH BOHANON and LARRY JOLLY. On two separate occasions, Detective attempted to execute these search warrants at the time BOHANON was at the location selling cocaine. However, by the time the officers could make the scene to execute the warrant, BOHANON had already left. These two warrants were not executed.

2. On December 4, 2012, Detectives of OCU Team 8 executed a search warrant at 2090 Swift and located approximately 262 grams of cocaine. Suspect Carbin Bullard, a known associate of KEITH BOHANON, was the target of this search warrant and was later arrested. According to CS#2 information, Bullard was being supplied cocaine by TARGET BOHANON.

3. On January 30, 2013, Detective Simes and OCU Team 8 executed a search warrant at the home of LARRY JOLLY located at 2025 Rile Street. Approximately 101 grams of cocaine was located and JOLLY was arrested. KEITH BOHANON supplies cocaine to LARRY JOLLY. Therefore, although the search warrants did yield a significant amount of cocaine (approximately 101 grams), only a small participant in the organization was arrested and KEITH BOHANON continues to engage in cocaine sales.

4. The execution of search warrants at the present time is impractical because investigating officers do not know many of the primary locations at which drugs and evidence are stored. It is anticipated that information obtained through the requested wire intercepts will prove useful in identifying those locations and will allow investigating officers to determine the

most opportune time to obtain and execute search warrants. As of this date, search warrants have only proven useful in seizing cocaine and low-level participants in this organization.

**F. Review/analysis of Telephone Records**

1. Telephone toll records indicate that the TARGET TELEPHONE is being used in the manner set forth in this affidavit, and information from the telephone pen registers verifies frequent telephone communication between the TARGET TELEPHONE and other telephones believed to be used by the TARGET SUBJECTS. However, telephone pen register records do not record the identity of the parties to the conversation, do not identify the nature or substance of the conversation and do not differentiate between legitimate calls and calls for criminal purposes.

**G. Trash Pulls**

1. One trash pull has been utilized in this case after a considerable amount of surveillance and review of phone tolls. This trash pull was conducted at the residence of STARR HAMILTON. Detectives know based on experience that drugs are sold fast and are not stored at a particular location for long. A search warrant could have been obtained for HAMILTON'S residence based on evidence of cocaine found in her trash; however, it was unknown if cocaine would actually be there at the time of the execution of the search warrant. If cocaine was not present at that time, the investigation and knowledge about the case would have been revealed to the TARGET SUBJECTS.

2. KEITH BOHANON is known to reside in an apartment complex where several dwelling units share a common dumpster. This factor makes it difficult to conduct a pull of the trash discarded by KEITH BOHANON. Detectives have conducted surveillance in the apartment complex, but they have never observed anyone come from the apartment unit with any refuse.

3. Attempting surveillance of the TARGET SUBJECTS in the Riverside community has shown, in part, the necessity for a wiretap investigation. Detectives know that it would be extremely difficult to conduct a trash pull on any of the houses on Rile Street based on the amount of foot traffic in that area at all times of the day and night. Attempting such is dangerous to the overall investigation.

**XII. MONITORING AND MINIMIZATION**

1. All monitoring of wire communications will be conducted in such a way as to minimize the interception of communications not otherwise criminal in nature or subject to interception under Title 40, Chapter 6, Part 3. All monitoring will cease when it is determined that the monitored conversation is not criminal in nature. If the conversation is minimized, monitoring agents will spot check to ensure that the conversation has not turned to criminal matters.

2. The "investigative or law enforcement officers" who are to carry out the requested interception of wire communications will be instructed concerning the steps they should take to avoid infringing upon any attorney-client privilege or other recognized privileges.
3. Pursuant to Tenn. Code Ann. Title 40, Chapter 6, Part 3, it is requested that Government personnel, or other individuals operating under a contract with the Government and acting under the supervision of an investigative or law enforcement officer authorized to conduct the interception, be authorized to assist in conducting the requested interception.
4. It is further requested, pursuant to Tenn. Code Ann. Title 40, Chapter 6, Part 3, that in the event the intercepted wire communications are in code or foreign language, and an expert in that code or foreign language is not reasonably available during the interception period, minimization may be accomplished as soon as practicable after such interception.

### **XIII. AUTHORIZATION REQUESTED**

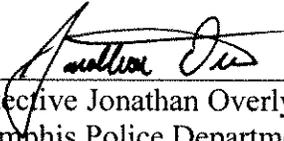
1. Pursuant to the provisions of Tenn. Code Ann. §40-6-304(d)(1), **IT IS REQUESTED** that this Court issue Orders pursuant to the power conferred on it by Tenn. Code Ann. §40-6-301 *et seq.*, authorizing the interception of wire, oral, and/or electronic communications including data transmission and text messaging over the telephone facility utilized by the **TARGET SUBJECTS** and assigned telephone number **901-691-0066** (Target Telephone # 1), a cellular telephone provided service by **CRICKETT COMMUNICATIONS** by the Investigating Agencies.
2. The requested Order is sought for a period of time until the interceptions fully reveal the manner in which the **TARGET SUBJECTS** and their confederates participate in the above-described offenses, or for a period of thirty (30) days, whichever occurs first, pursuant to Tenn. Code Ann. § 40-6-304. It is further requested that the time set forth in the Order run from the day on which the investigative or law enforcement officers first begin to conduct the interceptions pursuant to the Court's Order, or ten days from the date on which the Order is entered, whichever is earlier.
3. Applicant further requests that the Court issue such other specific instructions as the Court deems necessary for the lawful and productive conduct of the interception.

### **XIV. CONCLUSION**

1. Based upon your Affiant's knowledge, training, and experience, as well as his review and evaluation of the above described facts, observations, pattern of telephone calling activity, and all of the other facts and information contained herein, he avers that there is probable cause to believe that the **TARGET TELEPHONE #1 (901-691-0066)** is being used as an instrument to facilitate **KEITH BOHANON** and the **TARGET ORGANIZATION'S** illicit drug trafficking activity/conspiracy and, further, that there is probable cause to believe that **TARGET SUBJECTS** identified herein are using the **TARGET TELEPHONE** in said fashion.

2. Based upon Applicant's knowledge, training, and experience, as well as his review and evaluation of the above described facts, circumstances, observations, pattern of telephone calling activity, and all of the other facts and information contained herein, he believes that there is probable cause to believe that the telephones assigned **TARGET TELEPHONE #1 (901-691-0066)** is being used by the **TARGET SUBJECTS** as an instrument to facilitate their conspiracy to distribute Cocaine in excess of 300 grams in violation of Tenn. Code Ann. §39-17-417(j), and therefore that the intercept authority requested herein may be authorized under governing law.

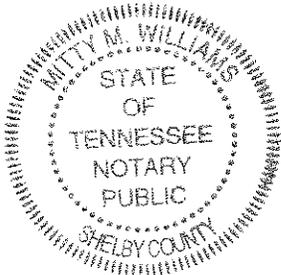
Respectfully submitted,

 10453

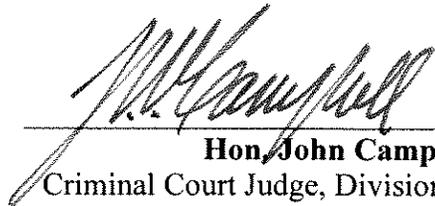
Detective Jonathan Overly  
Memphis Police Department  
Applicant

Sworn to and subscribed before me this 19<sup>th</sup> day of June, 2013.

Notary Public: Mitty M. Williams



My Commission Expires:  
May 1, 2016

  
Hon. John Campbell  
Criminal Court Judge, Division VI  
Thirtieth Judicial District  
**AUTHORIZING JUDGE**

**IN THE CRIMINAL COURT FOR THE 30<sup>TH</sup> JUDICIAL DISTRICT  
OF TENNESSEE**

IN THE MATTER OF THE APPLICATION OF THE STATE OF TENNESSEE FOR AN  
ORDER AUTHORIZING THE INTERCEPTION OF COMMUNICATIONS OVER THE  
TELEPHONE ASSIGNED TELEPHONE NUMBER:

**TARGET TELEPHONE #1**

**Cellular Telephone Number: (901) 691-0066**  
**Cricket Communications**  
**User: Keith BOHANON**

**SUBMITTED UNDER SEAL**

**ORDER**

Application has been made before me Katie Ratton, Assistant District Attorney General, which the approval and authorization of Amy Weirich, District Attorney General for the Thirtieth Judicial District at Memphis, Shelby County, Tennessee, an investigative or law enforcement officer of the State of Tennessee as defined by Tennessee Code Annotated §40-6-303 (12) (a) (ii), for an order authorizing a pen register, trap and trace device, and the interception of wire, oral, electronic communications (without geographical limitation inside the United States of America / to encompass the entire United States of America) and cell tower location information with Latitude / Longitude incoming and outgoing calls (to include, but not limited text messages and short message service SMS) for a time period of thirty days (30) from the date of the order pursuant to Tennessee Code Annotated §40-6-301 *et seq.*, and full consideration having been given to the matter set forth herein, the court finds:

1. There is probable cause to believe that Keith BOHANON aka Keith BOHAMON and others persons known and yet unknown (herein after referred to as “co-conspirators”)

have committed, are committing and will commit violations of Tennessee Code Annotated §39-17-417 (j) [possession with intent to sell or deliver and conspiracy to possess with intent to sell or deliver, cocaine in excess of three – hundred (300) grams].

2. There is probable cause to believe that particular wire, oral, and electronic communication (to include, but not limited text messages and short message service SMS) of Keith BOHANON and others known and yet unknown (herein after referred to as target organization) concerning the above named offenses will be obtained through the interception of wire, oral, and electronic communications (to include, but not limited text messages and short message service SMS) telephone bearing **(901) 691-0066**, used by Keith BOHANON (herein after referred to as Target Telephone #1). This would apply not only to the Target Telephone #1, number listed above, but to any changed telephone number subsequently assigned or used by the instrument bearing the MIN utilized by the Target Telephone #1 number or any changed electronic serial number assigned to the Target Telephone #1 utilizing the thirty (30) day period. It is also requested that the authorization apply to any background conversations intercepted in the vicinity of Target Telephone #1 while the telephone is off the hook or otherwise as well as any incoming aural background conversations transmitted to the target cellular telephone. In particular, there is probable cause to believe that the communications to be intercepted will concern the above described and will be obtained through the interception for which authorization is herein applied.
3. It has been established that normal investigative procedures have been tried and failed or reasonably appear to be unlikely to succeed or are too dangerous to employ.
4. There is probable cause to believe that Target Telephone #1 has been, is being, and will continue to be used in connection with the above described offenses by the persons and others known and yet unknown.

**IT IS THEREFORE ORDERED** that Officers of the Memphis Police Department and other duly sworn law enforcement officers working under the supervision of these agencies are authorized pursuant to an Application Authorized by the duly sworn designated investigative or law enforcement officer of the State of Tennessee to intercept wire, oral, and electronic communications (to include, but not limited text messages and short message service SMS) of the above-named target organization to and from the above referenced Target Telephone #1.

**IT IS FURTHER ORDERED** that communications authorized to be intercepted shall concern the specifics of the violations of Tennessee Code Annotated §39-17-417 (j) including: (1) the nature, extent and methods of the drug trafficking business of the subjects and others, as yet unknown; (2) the nature, extent and methods of operation of the cocaine distribution business of financing and distribution of cocaine, as well as the arrangements and negotiations to set-up, protect and conduct said illegal drug transactions; (3) the identities and roles of accomplices, aiders and abettors, co-conspirators and participants in their illegal activities; (4) the distribution and transfer of the contraband and money involved in those activities; (5) the existence and location of records reflecting the above illegal activity; (6) the location and source of resources used to finance their illegal activities; (7) the location and disposition of the proceeds from those activities; (8) the locations and items used in furtherance of those activities; (9) discussion regarding possible confidential informants; (10) the identification of cocaine sources of supply and their methods of means regarding the transportation of illegal drugs into the State of Tennessee and the large scale distribution of said illegal drugs.

**IT IS FURTHER ORDERED** that such interception shall not terminate automatically after the first interception that reveals the manner in which the alleged co-conspirators and others conduct

their illegal activities, but may continue until all communications are intercepted which fully reveal the manner in which the above-named co-conspirators and others yet unknown are committing the offenses described herein, and which reveal fully the identities of the confederates, and their places of operation, and the nature of the conspiracy involved therein, or for a period of thirty (30) days measured from the day which law enforcement officers first began to conduct an interception under this order or ten (10) days after the order is entered, whichever is earlier.

**IT IS FURTHER ORDERED** that the authorization to intercept apply not only to the Target Telephone #1 number listed above, but to any changed telephone numbers subsequently assigned or used by the instrument bearing the same MIN utilized by the target mobile cellular telephone number (901) 691-0066 or any changed MIN subsequently assigned to the Target Telephone #1 within the thirty (30) day period. This will also apply to any background conversations in the vicinity of the Target Telephone #1 while the telephone is off the hook or otherwise as well as any incoming aural background conversations transmitted to the target cellular telephone.

**IT IS FURTHER ORDERED** that, based upon the request of the Applicant and pursuant to Tennessee Code Annotated §40-6-304 (d) (2) that Cricket Communications, a communications service provider as defined in §2510 (15) of Title 18, United States Code, shall provide information, facilities and technical assistance necessary to accomplish the interceptions unobtrusively and within minimum of interference with the services that such provider is according the persons whose communications are to be intercepted, and to ensure an effective and secure installation of electronic devices capable of intercepting wire, oral, and electronic communications (to include, but not limited text messages and short message service SMS) over Target Telephone #1, with the service provider to be compensated by the Memphis Police Department for a reasonable expenses incurred in providing such facilities or assistance.

**IT IS FURTHER ORDERED** that, to avoid prejudice to the government's criminal investigation, the above-named provider of wire communications service and its agents and employees are ordered not to disclose or cause a disclosure of the order or the request for information, facilities and assistance by the Memphis Police Department or the existence of the investigation to any person other than those of its agents and employees who require said information to accomplish the services ordered. In particular, said providers and their agents and employees shall not make such disclosure to a lessee, telephone subscriber or any intercepted member of the target organization.

**IT IS FURTHER ORDERED** that this order shall be executed as soon as possible and that all monitoring of wire, oral and electronic communications (to include, but not limited to text messages and short message service SMS) shall be conducted in such a way as to minimize the interception and disclosure of the communications intercepted. Those communications relevant to the pending investigation, in accordance with the minimization requirements set forth in Tennessee Code Annotated §39-13-601 and §39-13-603. If conversation is minimized, monitoring agents are directed to spot-check to ensure that conversation has not turned to criminal matters. Monitoring of conversations will terminate immediately when it is determined that the conversation is unrelated to communications subject to interceptions under Tennessee Code Annotated §39-17-417 (j). Interception must be suspended immediately when it is determined through voice identification, physical surveillance, or otherwise, that none of the named members of the target organization or any of their confederates, when identified, are participants in the conversations, unless it is determined during a portion of the conversation already overheard that the conversation is criminal in nature. In addition, it is directed that the interception of communication authorized by this court order must terminate upon attainment of the authorized or, in any event at the end of the thirty (30) days measured from the day on which the

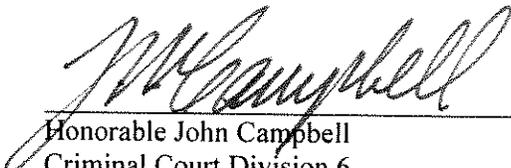
investigative law enforcement officers first begins to conduct an interception under this court order or ten days (10) days after the order is entered whichever is earlier.

**IT IS FURTHER ORDERED** that Cricket Communications, Sprint Spectrum L. P., Cellco Partnership dba Verizon Wireless, Sprint /Nextel Inc., Cingular Wireless, Nextel Communications, Sprint Spectrum L. P. , Tracfone, Platinum Tel, US Cellular, T-Mobile USA, T-Mobile , Sprint Communications, BellSouth Telecommunications, AT&T Communications, Verizon South Inc, Verizon North Inc, Verizon Wireless Communications, Sprint-Carolina Telephone and Telegraph, Cricket Communication, Cellular South Communication and or any other wireless or hard-line telecommunication company provide the **Memphis Tennessee Police Department Organized Crime Unit** with subscriber information, including the names, addresses, credit and billing information of the subscribers, published and non-published, and Historical Call Detail Records / Toll Records ( including Latitude and Longitude cell sites) for Thirty (30) days, for the telephone numbers being dialed to and from **(901) 691-0066**, for a period of thirty (30) days from the date of this order being signed and for a thirty (30) day period after the date this order was signed.

**IT IS FURTHER ORDERED** that Assistant District Attorney Katie Ratton or any other Assistant District Attorney General or Memphis Police Department Officer assigned to this investigation and familiar with the facts of this case shall provide this court with a report on or about the tenth day following the date of this order showing what progress has been made toward achievement of the authorized objectives or goals and the need for continued interception, and providing that if any of the above-ordered reports should become due on a weekend or holiday, then the report shall become due on the next business day thereafter.

**IT IS FURTHER ORDERED** that this order, the application, affidavit, and all interim reports filed with this court with regard to this matter shall be sealed until further order of this court, expect that copies of the Affidavit, Application and Order in full or redacted form, may be served on the Memphis Police Department and the service provider as necessary to effectuate this order.

Date this the 19<sup>th</sup> day of June 2013

  
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Honorable John Campbell  
Criminal Court Division 6  
30<sup>th</sup> Judicial District  
Memphis, Shelby County, Tennessee