

IN THE CRIMINAL COURT FOR THE 30TH JUDICIAL DISTRICT
OF TENNESSEE

IN THIS MATTER FOR AN APPLICATION OF THE STATE OF TENNESSEE FOR
AN ORDER AUTHORIZING THE INTERCEPTION OF COMMUNICATIONS OVER
THE TELEPHONE IDENTIFIED AS THE FOLLOWS:

TT-1

Cellular Telephone Number: (901) 691-0066
Cricket Communications
User: Keith Bohanon aka Keith Bohamon
Subscriber name: "James Miller"

FILED UNDER SEAL

**APPLICATION FOR EXTENSION OF ORDER ALLOWING FOR
INTERCEPTION AND MONITORING OF WIRE/ELECTRONIC
COMMUNICATIONS**

I, Jonathan Overly, being duly sworn, depose and say as follows:

I. Introduction and Identity of Applicant
Detective Jonathan Overly

I am the Affiant for the State's previous Application and Affidavit for Target Telephone #1 (TT-1). That Affidavit and Application is hereby incorporated by reference as if re-alleged herein. That Affidavit and Application contains my qualifications to make this Application.

II. Introduction, Overview, Probable Cause and Need for Extension

On June 19, 2013, Honorable Judge John Campbell, Shelby County Criminal Court Division VI, signed an order allowing for the interception and monitoring of electronic communications occurring over TT-1 (901) 691-0066; used by Keith Bohanon to conduct the distribution of cocaine. An Application and Affidavit were filed by the State in request and support of the order – This Application and Affidavit articulated to the court the existence of the Keith Bohanon heading an organization in Memphis, Tennessee which is responsible for obtaining over 300 grams of cocaine and then distributing it to lower-level street dealers in the Memphis, Tennessee area. Those documents are further incorporated herein by reference.

Interception and monitoring pursuant to that order began on June 19, 2013 with the state filing “ten day reports” on June 28, 2013, July 8, 2013 and July 17, 2013. Those reports detail to the court certain selected “pertinent calls” and articulate to the court a continued need for interception and monitoring. Those reports are also incorporated herein by reference.

During the course of interception of TT-1 investigators have been able to establish probable cause that Keith Bohanon utilizes TT-1 for the acquisition and distribution of cocaine on a day-to-day basis. TT-1 continues to be an active means by which Keith Bohanon conducts his narcotics business; further; it continues to provide investigators insight into Bohanon’s sources of supply and his distribution network.

And so, through monitoring, investigators have been able to identify some participants in the larger conspiracy as specified in the Affidavit. Investigators have also been able to develop leads with regard to other possible co-conspirators and sources of supply not previously known. Accordingly, Investigators have intercepted multiple telecommunications concerning the acquisition of over 300 grams of cocaine and distribution of cocaine. These include intercepted phone calls providing investigators with evidence of criminal conspiracies, including acquiring and distributing cocaine.

However, this investigation is incomplete at this time. Even with the evidence and intelligence garnered thus far during the course of monitoring, true infiltration of and understanding of the entirety of this organization has not been realized. Most importantly, additional information is needed to be gathered on the cocaine sources of supply. And thus, continued monitoring is needed and is essential for an effective takedown of this cocaine distribution organization.

III. Authorization of District Attorney General

This Application for an Extension has been authorized by Amy P. Weirich the dully-elected District Attorney General for the 30th Judicial District of Shelby County, Tennessee.

IV. Purpose of Application and Probable Cause

This Application, as referenced above, follows a previously filed Application and Affidavit which detail this organization that this investigation attempts to infiltrate, disrupt, dismantle, and prosecute. That Application and supporting Affidavit are hereby incorporated by reference, and this Application for Extension will not restate what has already been reported to the court. Instead, let it suffice to state that Keith Bohanon acquires and distributes various quantities of cocaine on a daily basis to other members of the organization who then re-distribute the cocaine.

Probable cause exists that Keith Bohanon and others, known and unknown, have committed, are committing and will commit and/or conspire to commit offenses enumerated in Tennessee Code Annotated §39-17-417 (j).

This Application for Extension is to apply for TT-1, telephone number:

(901) 691-0066. This telephone is used by Keith Bohanon for both the acquisition and distribution of cocaine to and from numerous other individuals, known and unknown. Probable cause exists to believe that TT-1 has been used, is being used and will continue to be used by Keith Bohanon for the purpose of committing the above-described offenses.

Included are brief summaries of some of the items confirmed through monitoring of TT-1 that combined with other statements and investigative details articulated in this affidavit, support probable cause for this extension:

Quarter ounce (7 grams) of cocaine conspiracy: On June 20, 2013 at 1:52 PM, Keith Bohanon received an incoming text message from Desi Williams. The text read, "QUARTER BUT I G HARD." This text was in response to a text that Bohanon sent to Williams asking what Williams needs. Investigators determined the text to mean Williams wants a quarter ounce of cocaine with one gram of it be in the crack cocaine form.

12 ounces of cocaine conspiracy: On June 21, 2013 at 9:21 PM, Keith Bohanon received an incoming call from his brother, Kenith Bohanon. Kenith told Keith that he (another male) has 12 of them left. Keith said they will get them tonight and asked if Kenith wanted to go 50/50 on them. Kenith said he would get that tonight but would have to hold tight a few days because he (unknown male supplier) rushes him and because Kenith has not been moving that fast. Kenith said he would be heading out around 11 or 12. (Several other calls followed concerning this deal which did occur that night.)

9 ounces of cocaine conspiracy: On July 11, 2013 at 12:11 pm, Keith Bohanon received an incoming phone call from Bobby Ray Canada. Canada told Keith that his Uncle (identified as Elbert Canada) got off work at 2 pm and that his Uncle would have it. Canada further stated that the deal would be done at his Uncle's house. Canada stated that his Uncle would have it in "one big slab." Canada then referenced that his cousin (identified at Frank Clemons) would be delivering the cocaine to his Uncle. Canada stated that his cousin was "good as gold but he does not want to meet anybody." Canada then stated that his Uncle also bought "a lot of weight too." Keith then told Canada that he would get his "paper" (money) and call him back.

18 ounces of cocaine (half a kilogram) conspiracy: On July 16, 2013 at 12:08 pm, Keith Bohanon placed an outgoing call to Bobby Canada. Bohanon and Canada discussed doing the cocaine transaction. Canada talked about putting "Frank" on stand-by to do the deal this evening. Canada asked Bohanon if he wanted the "whole thing" (a whole kilogram of cocaine). Bohanon said that he wanted to get "half" (a half of a kilogram of cocaine). Other intercepted calls followed and Canada and Bohanon discussed doing the half kilogram deal on July 17, 2013.

Admissible evidence of the sale and delivery of cocaine has been garnered, the identity of some of the participants has been confirmed and investigative leads regarding higher-level outside sources have been developed. Monitoring of TT-1 has allowed

investigators to continue to work up and through Bohanon's co-conspirators and has allowed an insight into his supply chain. However, effective infiltration has not yet been achieved. It is critical that investigators identify all of Bohanon's sources of supply, and it is equally critical that investigators continue garnering information regarding the identity of other unknown co-conspirators in the distribution of cocaine in Memphis, Tennessee. Continued monitoring is thus essential, as, it is plain that there still exists probable cause to believe that the interception and monitoring of TT-1 will reveal further and necessary details with regard to the cocaine acquisition and distribution being regularly conducted by Keith Bohanon and other members of this organization, both known and unknown.

V. Application for Extension and Filing Under Seal

This is not the Original Application made for authorization under state law to intercept wire and electronic communication involving TT-1 (901) 691-0066. Instead, and as specified previously, this is an Application for an Extension on TT-1 so that investigators may continue to intercept and monitor for an additional thirty (30) days.

Because this Affidavit is being submitted for the limited purpose of securing authorization for the continued or additional interception of wire communications, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that are believed necessary to establish the necessary foundation for an Order authorizing the interception of wire communication.

Because this is an ongoing investigation and as a precaution to safeguard and assure the existence of this investigation and/or the scope and direction of the investigation, the safety of persons providing information, we ask that this Affidavit and related Application and Order be filed under seal so that the Targets are not prematurely alerted and the investigators and their activities are not compromised.

VI. Individuals and Communications Expected to be Intercepted

Keith Bohanon utilizes TT-1 to communicate with numerous individuals, some who have been identified and others who are yet identified. Some of the known co-conspirators established at this point in the investigation:

Kenith Bohanon	Date of Birth: 11/22/1969
Starr Hamilton	Date of Birth: 09/22/1992
Bobby Canada	Date of Birth: 02/15/1957
Larry Jolly	Date of Birth: 05/30/1960
Desi Williams	Date of Birth: 08/04/1966
Nacole Williams	Date of Birth: 11/20/1980
Floyd Partee	Date of Birth: 03/15/1970
Dante Hayes	Date of Birth: 03/03/1975

VII. Telephone for which Authorization is being Requested

The target telephone is as follows: telephone bearing the number: (901) 691-0066, is a cellular telephone provided by Cricket Communications. The subscriber information for TT-1 is in the name of "James Miller."

The authorization sought is intended to apply not only to the Target Telephone listed above, but to any changed telephone number subsequently assigned to the same ESN, or to any changed ESN subsequently assigned to cellular telephone number (901) 691-0066.

VIII. Continued Interception and Exhaustion of Other Investigative Methods

Based on my experience and knowledge of the facts of this investigation, and the experience and knowledge of other investigators of the Memphis Police Department, and upon the information contained herein, I believe that the interception of wire communication requested herein continues to be the only available investigative technique remaining which has a likelihood of securing admissible evidence needed to establish the full nature and scope of these offenses. While interception and monitoring have revealed useful information, that information has not opened up investigative avenues like the use of a grand jury, the development of confidential sources, the further

use of an undercover officer or any other traditional law enforcement investigative means. Instead, the monitoring has confirmed the inherent difficulty law enforcement has encountered in attempting to infiltrate this cocaine trafficking organization. In short, for the reason articulated in the incorporated Application and Affidavit and/or reasons verified in the course of interception and monitoring, traditional law enforcement cannot effectively police this sophisticated network.

IX. Need and Duration of the Requested Interception

The requested order is sought for a period of time until the interceptions fully reveal the manner in which the Target Subjects, and confederates, participate in the above described offenses, or for a period of thirty (30) days, whichever occurs first. It is further requested that the time set forth in the order run from the day on which the investigative or law enforcement investigators first begin to conduct the interception pursuant to the court's order, or ten days from the date on which the order is entered, whichever occurs first.

The interception of wire and electronic communications, as specified above, is essential to uncover the scope of the Network's operation and to achieve the above-stated goals of this investigation. Since normal investigative techniques have either been tried and have failed, or are reasonably appear unlikely to succeed fully if tried, or are too dangerous to employ, electronic surveillance is the best alternative method to achieve the goals of this investigation. Therefore, upon the interception of incriminating conversations by the Target Subjects, your Applicant needs to continue the investigation to realize all the objects and goals of the investigation as set forth, above.

X. Minimization, Scope and Request

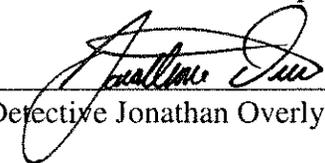
All monitoring of wire and electronic communications have been and will be conducted in such a way as to minimize the interception of communication not approved under the orders of this court. All monitoring will cease when it is determined that the

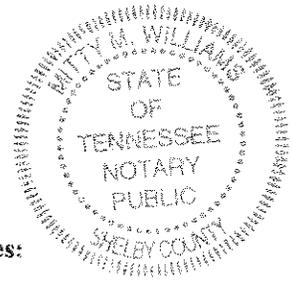
monitored conversation does not fall within the parameters of approved communications subject to interception. Interception will be suspended immediately when it is determined through voice identification, physical surveillance, or otherwise, that none of the Target Subjects or any of their confederates, when identified, are participants in the conversation, when minimized, monitors will spot-check to ensure that the conversation has not turned to criminal matters.

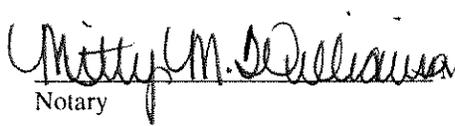
The monitors who are to carry out the requested interception of wire and electronic communications will be instructed concerning the approved communications of the interception as well as the steps they should take to avoid infringing upon any attorney/client privilege or other recognized privileges.

It is further requested, pursuant to Tennessee Code Annotated §40-6-304(e), that in the event the intercepted wire and electronic 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 practical after such interception.

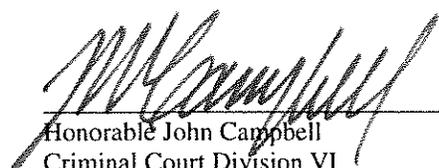
I request that this Application, and any related order(s) be sealed by the clerk of court and remain sealed pending further orders of the court.


10453
Detective Jonathan Overly




Notary My Commission Expires May 1, 2016

Sworn to and subscribed before me this 18th day of July 2013


Honorable John Campbell
Criminal Court Division VI
30th Judicial District

**State of Tennessee
Criminal Court of Shelby County
Thirtieth Judicial District**

IN RE:

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

APPLICATION

I, Katie Ratton, 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 Jonathan 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.

3. I certify that I do not have knowledge of any 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 18th day of, July 2013.

Respectfully submitted,



Katie Rattton
Assistant District Attorney General
Thirtieth Judicial District
Memphis, Shelby County, Tennessee

IN THE CRIMINAL COURT FOR THE 30th JUDICIAL DISTRICT
OF MEMPHIS 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

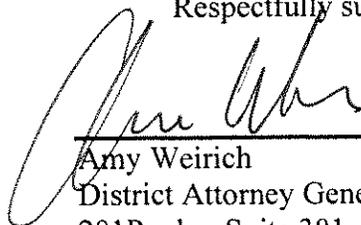
AUTHORIZATION BY DISTRICT ATTORNEY GENERAL FOR
INTERCEPTION OF WIRE AND ELECTRONIC COMMUNICATIONS

I, Amy Weirich, District Attorney General for the 30th Judicial District, have considered and reviewed the forgoing Application to be presented to the reviewing judge on or about July 18, 2013, by Memphis Police Officer Jonathan 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 30th Judicial District, or to any other court, for the above telephone facilities.

This the 18th day of July 2013.

Respectfully submitted,



Amy Weirich
District Attorney General
201 Poplar, Suite 301
Memphis, Tennessee 38103

**IN THE CRIMINAL COURT FOR THE 30TH 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 18 day of July 2013



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