

STATE OF MINNESOTA, COUNTY OF RAMSEY

DISTRICT COURT

**APPLICATION FOR SEARCH WARRANT**

I, Jordan Sams, a licensed peace officer in the State of Minnesota, make an application to this Court for a warrant to search the premises and motor vehicle described below, for the property and thing(s) described below.

I know the content of this application and affirm that the statements contained in this application are true based on my own knowledge, or are believed to be true.

I believe that the following described property and thing(s), namely:

- 1. Synthetic Marijuana, cultivation equipment, other controlled substances contained in the Controlled Substance Laws, scales, drug paraphernalia, drug notes, primary containers and other items used for the concealment, storage, manufacture, distribution or consumption of controlled substances.**
- 2. Records, documents, papers, invoices, billings, bankbooks, bank statements, safe deposit box information, and other financial documents or instruments. Papers, mail, writings, letters, credit cards, house keys, clothing, personal items and forms of identification.**
- 3. U.S. currency, foreign currency, coins and other moneys, precious metals and stones, jewelry.**
- 4. Safes, lockboxes and their keys, and safe deposit box keys.**
- 5. Weapons, guns, firearms, ammunitions, and other dangerous weapons described in Minnesota Statute 609.02.**
- 6. Photographs, video tapes, audio recordings or any other electrical, electronic or magnetic storage devices, recording devices (video and audio).**
- 7. Address/phone books, telephone numbers, messages, and stored electronic communications (caller identification).**
- 8. Cellular phones (to include cellular phone/computer combinations), pagers, electronic storage devices.**
- 9. Computers, computer hard drives and all information storage type devices for**

**10. Closed circuit camera systems.**

is or are at the premises and in the motor vehicle described as:

**Premises: 560 University Ave W, St. Paul MN, 55104, Dollar Plus, located within the University/Dale Mall on the southeast corner of Dale/University, a commercial building that attaches to other retail stores on both sides**

**Vehicle: 2012 Black Volkswagen Passat, MN plate 554WMM, VIN:1VVBH7A38CC074561**

**Vehicle: 2004 Ford DRW Cab & Chassis, Y-Class Commercial Truck/Tractor, MN plate YBT2259, VIN:1FDXF46P84EB70085**

located in city or township of St. Paul, County of Ramsey, State of Minnesota.

I apply for a search warrant on the following grounds:

- The property or things above-described was stolen or embezzled.
- The property or things above-described was used as means of committing a crime.
- The possession of the property or things above-described constitutes a crime.
- The property or things above-described is in the possession of a person with intent to use such property as a means of committing a crime, or the property or things so intended to be used are in the possession of another to whom they have been delivered for the purpose of concealing them or preventing their being discovered.
- The property or things above-described constitutes evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.

The facts establishing the grounds for issuance of a search warrant are as follows:

I, Officer Jordan Sams, am your affiant in this matter. Your affiant is a police officer with the City of St. Paul and has been a licensed Peace Officer for 7 1/2 years. Your affiant is currently assigned as an investigative officer in the St. Paul Police Narcotics Unit (Ramsey County Violent Crimes Enforcement Team) where he is responsible for investigating a wide variety of drug related offenses within the City of St. Paul and surrounding areas.

On September 20<sup>th</sup> your affiant was informed by Sgt. Murphy (SPPD Narcotics Unit) there had been numerous complaints from citizens that a store located at 560 University Ave W, Dollar Plus, has been selling synthetic marijuana that has caused multiple overdoses and medical related problems with individuals in the community. Sgt Murphy and other SPPD Narcotics Officers had attempted an undercover officer buy at the store in the past. The undercover officer attempted to buy synthetic marijuana in the evening hours and was told to specifically come back in the morning.

On multiple occasions, 09/20/2017, 09/25/2017, 10/03/2017 and **11/06/2017** your affiant and other Officers orchestrated multiple buy/walk operations utilizing a confidential reliable informant (CRI). On all occasions we met with the CRI in person at a predetermined location where he/she was searched for narcotics. The CRI was not found to have any narcotics on all occasions. Your affiant and other Officers transported the CRI from the predetermined location to a location near the Dollar Plus, 560 University Ave W. The CRI was provided a pre-determined amount of U.S Currency in buy fund money and instructed to purchase synthetic marijuana from the Dollar Plus on each occasion. The CRI exited the vehicle on each occasion where he/she approached the Dollar Plus on foot. Your affiant and other surveillance officers (SPPD narcotic Officers and VCET Officers) kept in constant contact (never losing sight of him/her) of the CRI where he/she entered the Dollar Plus. Moments later, on every occasion, the CRI exited the Dollar Plus and walked directly (never losing sight of him/her) to your affiant's location. The CRI advised he/she had purchased synthetic marijuana from the same clerk at the Dollar Plus on each occasion. For every buy/walk, synthetic marijuana was recovered from the CRI and later entered into the SPPD Property Room. The CRI was checked for narcotics with negative results after every buy/walk. The suspected synthetic marijuana was later sent to the MN BCA for testing for the buys on 09/20/2017, 09/25/2017 and 10/03/2017. The laboratory results from these days were from the MN BCA and were tested by a Forensic Scientist. The Forensic Scientist found illegal substances of either FUB-AMB and/or AB-FUBINACA in the packages on the first three buy/walks. These substances are found to be illegal under MN Statutes section 152.

There were multiple packages purchased on different dates that tested positive for the illegal controlled substances. Multiple packages purchased on different days were identical.

On the first controlled buy, 09/20/2017, Officer T. Vixayvong entered the Dollar Plus immediately after the CRI had conducted the first purchase of the synthetic marijuana. Officer T. Vixayvong was able to positively identify Jalal Mouine DOB 05/14/1978 as the only clerk behind the counter. Officer T. Vixayvong was able to identify Mouine through a picture provided by a MN police database. The same picture was presented to the CRI who confirmed the picture was Mouine who sold him/her suspected synthetic marijuana on 09/20/2017, 09/25/2017 10/03/2017 and 11/06/2017. The CRI also informed your affiant that Mouine is the only person who has sold to him/her at the store and has been the only person at the Dollar Plus in the morning hours up until approximately 2pm every day. The CRI advised Mouine uses his vehicle to transport the synthetic marijuana to the store every day in the morning.

Through a MN police database your affiant was able to determine one of Mouine's registered vehicles to be a MN plate 554-WMM 2012 Volkswagen Passat. This 2012 Volkswagen Passat was parked directly in front of the rear door leading to the Dollar Plus on two of the said dates of the controlled buys. Mouine has been seen multiple times as the only person driving the Volkswagen Passat.

Your affiant obtained a signed search warrant by the Honorable Judge G. Bastian on 10/05/2017 to place a mobile tracking device on Mouine's 2012 Volkswagen Passat vehicle. On 10/12/2017 your affiant placed a mobile tracking device on Mouine's 2012 Volkswagen Passat. The mobile tracking device revealed Mouine had been traveling to the All American Self-Storage commercial storage complex at 1500 Marshall Ave, St. Paul MN, on a routine basis. The mobile tracker on Mouine's VW Passat has shown a pattern of visiting the Self-Storage complex before going to work every day and immediately after work at the Dollar Plus. On multiple occasions Mouine has traveled to the Dollar Plus more than once a day and routinely visits the Self-Storage complex before and/or after going to the Dollar Plus on these occasions. On 10/16/2017 at approximately 1435 hours your affiant visually saw Mouine driving the 2012 Volkswagen Passat westbound on Marshall Ave and enter the Self-Storage complex at 1500 Marshall Ave. Through your affiant's training and experience, your affiant knows that narcotics dealers use storage facilities as a means to store further narcotics and/or equipment related to narcotics trafficking.

On 10/10/2017, your affiant and other Officers were surveilling the address in attempt to follow Mouine to a known location where he was staying. Prior to Mouine leaving the Dollar Plus on 10/10/2017, he was seen entering a vehicle with MN plate YBT2259, 2004 Ford DRW, Cab & Chassis, Y-Class Commercial Truck/Tracker, VIN:1FDXF46P84EB700. Mouine entered through the passenger side door and then to the driver's seat where he operated the vehicle. Mouine unloaded items in the Y-Class Commercial Truck/Tracker and placed the items in the trash. The vehicle was registered to Dollar Plus, Inc at 560 University Ave.

Mouine's home of record for the Volkswagen Passat and for his driver's license lists to the Dollar Plus store at 560 University Ave W. Your affiant knows the complex is strictly a commercial complex and not zoned or suited for living. There are no apartment style residences above the business. Your affiant knows from previous training and experiences those who conceal, hide their living address or omit their home of record from the department of motor vehicles, have been known to be living at other addresses not on record in order to evade detection or detention from authorities.

On 11/21/2017 officers under your affiants control executed a search warrant on the All American Self-Storage Facility, 1500 Marshall Ave, St. Paul MN storage unit #1633. The search warrant on the Self-Storage Facility was signed by the Honorable Judge Hilgers on 11/14/2017. Officers located suspected synthetic marijuana and suspected marijuana inside the storage locker along with a large amount of U.S. Currency and a stolen firearm. Just before executing the search warrant on the storage locker, the GPS tracker showed Mouine visiting the storage locker in the morning hours of 11/21/2017 with the VW Passat, normally like most days before proceeding to the Dollar Plus. Mouine was stopped on traffic in the VW Passat vehicle once reaching the Dollar Plus where he was arrested for probable cause to distribute synthetic marijuana by St. Paul patrol officers and the stolen firearm.

Based on your affiant's investigation, your affiant believes that Mouine has continued to traffic illegal narcotics from the Dollar Plus, 560 University Ave W, St. Paul MN. Furthermore, your affiant believes that the said illegal narcotics will be found at 560 University Ave W. Your affiant also believes that Mouine utilizes the aforementioned vehicles to further facilitate his illegal narcotics trafficking.

Based on the above information, your affiant submits there is probable cause that the search sought by this warrant leading into the Dollar Plus Store located at 560 University Ave W, Mouine's vehicle(MN plate 554WMM, Black 2012 Volkswagen Passat VIN:1VWBH7A38CC074561), and Mouine's work vehicle(MN plate YBT2259, 2004 Ford DRW, Cab & Chassis, Y-Class Commercial Truck/Tracker, VIN:1FDXF46P84EB700) will lead to evidence tending to show that the store and vehicles contains evidence, fruits, and instrumentalities of crimes committed by Jalal Mouine DOB 05/14/1978 in violation of Minnesota's Controlled Substance laws under MN statues Chapter 152.

Your affiant knows that the information provided by the CRI has proven to be true and correct through independent corroborative investigation. The true identity of the CRI should remain confidential with the meaning of Minnesota Statue 13.82 Sub. 17 (c). Your affiant believes that the CRI would be in danger of great bodily harm if the true identity of the CRI were made known.

**(End of Page)**

I request a search warrant be issued, commanding Jordan Sams, a peace officer of the State of Minnesota, and any other authorized person, to enter and search between the hours of 7 a.m. and 8 p.m. to search the above described premises and motor vehicle for the described property and thing(s), and to seize and keep said property and thing(s) in custody until dealt with according to law.

**I declare under penalty of perjury that everything stated in this document is true and correct.**

**Applicant: Jordan Sams**

St Paul Police Dept  
Electronically Signed  
11/21/2017 9:32 AM  
Ramsey, Minnesota