

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT
for the
Middle District of Florida

United States of America
v.
NICOLE DANIELLE DEVILBISS
Defendant(s)

Case No.
3:23-mj-1520-LLL

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.
On or about the date(s) of June 23, 2022 through May 23, 2023 in the county of Duval in the
Middle District of Florida, the defendant(s) violated:

Code Section 18 U.S.C. §§ 48, 371, and 2
Offense Description Conspiracy to create and distribute animal crush videos

This criminal complaint is based on these facts:
See attached affidavit.

Continued on the attached sheet.

Ashley Wilson (handwritten signature)

Complainant's signature

Ashley Wilson, HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: October 31, 2023 @ 3:05pm

Laura Lothman Lambert (handwritten signature)

Judge's signature

City and state: Jacksonville, Florida

Laura Lothman Lambert, U.S. Magistrate Judge

Printed name and title



AFFIDAVIT

I, Ashley Wilson, being duly sworn, hereby state as follows:

1. I am a Special Agent (SA) with Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI), an agency of the United States Department of Homeland Security (DHS) and have been so employed since October 2007. I am currently assigned to the Office of the Assistant Special Agent in Charge Jacksonville, Florida, where I conduct a variety of investigations. Prior to this assignment, I was assigned to the Office of the Deputy Special Agent in Charge Laredo, Texas, for approximately 6 years also as a Special Agent. I have a bachelor's degree in criminal justice. I am a law enforcement officer of the United States and am thus authorized by law to engage in or supervise the prevention, detection, investigation or prosecution of violations of federal criminal law. I am responsible for enforcing federal criminal statutes under the jurisdiction of HSI. I participated in a 22-week training program at the Federal Law Enforcement Training Center in Brunswick, Georgia, which included the Criminal Investigator Training Program and ICE Special Agent Training. In my capacity as a Special Agent, I have participated in numerous types of investigations, during which I conducted or participated in physical surveillance, undercover transactions and operations, historical investigations, and other complex investigations.

2. I have investigated and assisted in the investigation of criminal matters

involving the sexual exploitation of children, human smuggling and trafficking, and financial violations. As a federal agent, I am authorized to investigate and assist in the prosecution of violations of laws of the United States, and to execute search warrants and arrest warrants issued by federal and state courts.

3. The statements contained in this affidavit are based on information I obtained from my personal observations as well as from records and information directly provided to me by other law enforcement officers and personnel. This affidavit is being submitted for the limited purpose of establishing probable cause for the filing of a criminal complaint, and I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause that Nicole Danielle DEVILBISS committed a violation of 18 U.S.C. § 371, that is, conspiracy to create and distribute animal crush videos in violation of 18 U.S.C. § 48(a)(2) and (a)(3).

4. This affidavit is made in support of a criminal complaint against Nicole Danielle DEVILBISS, that is, in Duval County, between on or about June 23, 2022, through May 23, 2023, in the Middle District of Florida, Nicole Danielle DEVILBISS did unlawfully and knowingly combine, conspire, confederate and agree with other persons to create and distribute animal crush videos in violation of 18 U.S.C. §§ 48(a)(2) and (b) and 48(a)(3) and (b), all in violation of 18 U.S.C. § § 371 and 2. There were numerous acts committed in furtherance of this conspiracy including but

not limited to payment for the creation of animal crush videos, distribution of animal crush videos, continued sharing and distribution of animal crush videos, establishment of the Telegram group to facilitate the creation and distribution of animal crush videos, and the administration of the Telegram group to enable the continued creation and distribution of animal crush videos.

5. On October 27, 2023, I applied for and obtained a federal search warrant for the residence located at 8880 Old Kings Road S, Unit 54, Jacksonville, Florida 32257 from United States Magistrate Judge Laura Lothman Lambert in Case No. 3:23-mj-1503-LLL. This warrant authorized the search of the residence located at 8880 Old Kings Road S, Unit 54, Jacksonville, Florida 32257 for fruits, evidence, and instrumentalities of violations of 18 U.S.C. §§ 48, 1462, 371, and/or 2. The affidavit in support of this search warrant is attached as Exhibit 1 and is hereby incorporated by reference.

6. On October 31, 2023, I, together with other HSI agents, HSI Task Force Officers, and law enforcement officers, executed this federal search warrant at the residence located at 8880 Old Kings Road S, Unit 54, Jacksonville, Florida 32257. After securing the residence, I approached Nicole Danielle DEVILBISS for a possible interview. DEVILBISS agreed to talk to me and HSI TFO Ryan Ellis in an interview inside my government vehicle, which was parked outside the residence. This interview was audio recorded. I introduced myself to DEVILBISS as a Special Agent for HSI

and presented my badge and credentials. HSI TFO Ellis was also introduced.

7. After being advised of her constitutional rights, DEVILBISS acknowledged those rights and agreed to speak with us without an attorney present. DEVILBISS provided her full name, date of birth, phone numbers, and email addresses. DEVILBISS stated she has lived at the residence with her mother, stepfather, and minor child since the year 2021. DEVILBISS stated she currently has a cell phone and a laptop. DEVILBISS stated she is the primary user of her cell phone and provided the passcode. DEVILBISS stated they have internet at residence that is provided by Xfinity, and it is also password protected.

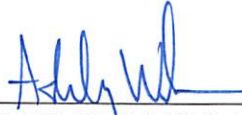
8. DEVILBISS admitted to using Telegram on her cell phone. DEVILBISS admitted to being in multiple Telegram group chats dedicated to the abuse and torture of monkeys. DEVILBISS stated she was initially a member of a Telegram group chat led by "Mister Ape." DEVILBISS admitted to paying "Mister Ape" \$20.00 on April 12, 2022, via Cash App and stated the payment was for the purpose of being able to stay in the group chat. DEVILBISS paid a second co-conspirator \$40.00 on April 27, 2022, via Cash App. DEVILBISS stated she knew "Mister Ape" and the second co-conspirator both facilitated the production and creation of monkey torture videos and collected funds from members of the group chat to have the videos created. DEVILBISS believed the price to have a monkey torture video created ranged from \$100.00 to \$230.00.

9. During the interview, I showed DEVILBISS multiple print outs, including a screen shot of the animal crush video titled *video_4@30-07-2022_08-22-29.mp4* that was posted on July 30, 2022, at 07:58 UTC in the Telegram group chat and described in Exhibit 1. DEVILBISS recognized the screen shot, stated she remembered this specific video, and acknowledged this video was shared in the Telegram group chat on July 30, 2022.

10. I showed DEVILBISS two additional print outs, one screenshot of a monkey torture video that she posted in the group chat on July 3, 2022, and one screenshot of a baby monkey being gagged and who's arms appear to be either bound behind the monkey or missing that she posted in the group chat on September 19, 2022. DEVILBISS recognized both screenshots and admitted to sharing the files in the Telegram group chat. DEVILBISS admitted to sharing "dozens" of videos depicting the physical abuse and torture of monkeys in the Telegram group chat. DEVILBISS stated her initial intentions were to help stop the torture of monkeys, but later transitioned to a dark place where she found relief from viewing monkey torture videos. DEVILBISS acknowledged it is unlawful to engage in animal crushing activity and denied reporting any of the animal crushing activity to law enforcement or animal rights activist groups.

11. Based upon the foregoing facts, I have probable cause to believe that between on or about June 23, 2022, through May 23, 2023, in the Middle District of

Florida, Nicole Danielle DEVILBISS did unlawfully and knowingly combine, conspire, confederate and agree with other persons to create and distribute animal crush videos in violation of 18 U.S.C. §§ 48(a)(2) and (b) and 48(a)(3) and (b), all in violation of 18 U.S.C. §§ 371 and 2.



ASHLEY WILSON, Special Agent
Homeland Security Investigations

Subscribed and sworn to before me this 31st day of October 2023, at Jacksonville, Florida.



LAURA LOTHMAN LAMBERT
United States Magistrate Judge

EXHIBIT 1

AFFIDAVIT IN SUPPORT OF A SEARCH WARRANT

I, Ashley Wilson, being duly sworn, hereby state as follows:

1. I am a Special Agent (SA) with Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI), an agency of the United States Department of Homeland Security (DHS) and have been so employed since October 2007. I am currently assigned to the Office of the Assistant Special Agent in Charge Jacksonville, Florida, where I conduct a variety of investigations. Prior to this assignment, I was assigned to the Office of the Deputy Special Agent in Charge Laredo, Texas, for approximately 6 years also as a Special Agent. I have a bachelor's degree in criminal justice. I am a law enforcement officer of the United States and am thus authorized by law to engage in or supervise the prevention, detection, investigation or prosecution of violations of federal criminal law. I am responsible for enforcing federal criminal statutes under the jurisdiction of HSI. I participated in a 22-week training program at the Federal Law Enforcement Training Center in Brunswick, Georgia, which included the Criminal Investigator Training Program and ICE Special Agent Training. In my capacity as a Special Agent, I have participated in numerous types of investigations, during which I conducted or participated in physical surveillance, undercover transactions and operations, historical investigations, and other complex investigations.

2. I have investigated and assisted in the investigation of criminal matters involving the sexual exploitation of children, human smuggling and trafficking, and financial violations. As a federal agent, I am authorized to investigate and assist in the

prosecution of violations of laws of the United States, and to execute search warrants and arrest warrants issued by federal and state courts.

3. This affidavit is based upon my personal knowledge, experience, and training, as well as other information developed during the course of this investigation. Because this affidavit is being submitted for the limited purpose of establishing probable cause and securing a search warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that contraband, fruits, instrumentalities, other items illegally possessed, and evidence of violations of 18 U.S.C. §§ 48, 1462, 371, and/or 2, are present in the location to be searched.

4. I make this affidavit in support of an application for a search warrant for authority to search the residence located at 8880 Old Kings Road S, Unit 54, Jacksonville, Florida 32257 (the "Subject Location"), as more particularly described in Attachment A and currently occupied by Nicole Danielle DEVILBISS, and others, as well as any computer and computer media and electronic storage devices located therein. I also request authority to seize any and all items listed in Attachment B as evidence, fruits, and instrumentalities of criminal activity specified herein.

STATUTORY AUTHORITY

5. This investigation concerns alleged violations of 18 U.S.C. §§ 48, 1462, 371, and/or 2, relating to material involving the crushing and torture of animals. Based upon my training and experience, as well as conversations with other experienced law enforcement officers, computer forensic examiners, and federal prosecutors, I know

the following:

a. 18 U.S.C. § 48(a)(2) makes it unlawful for any person to knowingly create an “animal crush video,” as defined below, if the person intends or has reason to know that the animal crush video will be distributed in or using a means or facility of, interstate or foreign commerce.

b. 18 U.S.C. § 48(a)(3) makes it unlawful for any person to knowingly sell, market, advertise, exchange, or distribute an animal crush video in, or using a means or facility of, interstate or foreign commerce.

c. 18 U.S.C. § 48(b) makes the provisions of § 48 applicable to the knowing sale, marketing, advertising, exchange, distribution, or creation of an animal crush video outside of the United States, if (1) the person engaging in such conduct intends or has reason to know that the animal crush video will be transported into the United States or its territories or possessions; or (2) the animal crush video is transported into the United States or its territories or possessions.

d. 18 U.S.C. §§ 48(f)(1)-(2) defines “animal crush video” as any photograph, motion-picture film, video or digital recording, or electronic image that (1) depicts actual conduct in which one or more living non-human mammals, birds, reptiles, or amphibians is intentionally crushed, burned, drowned, suffocated, impaled, or otherwise subjected to serious bodily injury; and (2) is obscene.¹

¹ The term “obscene” is not defined in 18 U.S.C. § 48 or § 1462; however, I reviewed the three-part test used to identify obscenity that is set forth in *Miller v. California*, 413 U.S. 15 (1973) and believe

e. 18 U.S.C. § 1462(a) makes it unlawful to bring into the United States, or any place subject to the jurisdiction thereof, or knowingly use any express company, other common carrier, or interactive computer service for carriage in interstate or foreign commerce, any obscene, lewd, lascivious, or filthy book, pamphlet, picture, motion-picture film, paper, letter, writing, print or other matter of indecent character.

f. 18 U.S.C. § 371 makes it a crime for two or more persons conspire to commit any offense against the United States, or to defraud the United States, or any agency thereof in any manner or for any purpose, and one or more of such persons do any act to affect the object of the conspiracy.

g. 18 U.S.C. § 2 provides that whoever aids, abets, counsels, commands, induces, or procures the commission of an offense against the United States shall be punishable as a principal.

OBSCENITY

6. The test to determine which materials are “obscene,” and therefore outside the protection of the First Amendment, was set forth in *Miller v. California*, 413 U.S. 15 (1973). To be obscene under *Miller*, the government must establish that the material taken as a whole appeals to prurient interests, is patently offensive in light of

the facts described below establish probable cause to believe that violations of these laws have occurred and that evidence of those violations will be found in the places to be searched.

community standards, and lacks serious literary, artistic, political, or scientific value. 413 U.S. at 24.

7. With respect to the “prurient interests” reflected in animal crush videos, Dr. Kevin Volkan, then Chair and Professor of Psychology at California State University Channel Islands, explained in 2010 in written testimony to the Senate Judiciary Committee about “the sexual nature of crush’ paraphilias.” Dr. Volken concluded that “crush videos are sexual in nature and that those who watch crush videos do so to obtain sexual gratification.”

8. The fact that the activities displayed in “crush” videos are criminalized under the laws of all fifty states is strong evidence that the activity depicted in such videos is “patently offensive in light of contemporary community standards.”² *Miller*, 413 U.S. at 24. This conclusion is also supported by the fact that forty-six of the fifty states ban sexual contact with animals.³

9. Additionally, the laws criminalizing the activities depicted in crush videos speak to the lack of “serious literary, artistic, political, or scientific value” in such videos. *Miller*, 413 U.S. at 24.

DEFINITIONS

10. The following definitions apply to this affidavit and Attachment B:

² State Animal Cruelty Laws, at <https://www.animallaw.info/content/state-animal-anti-cruelty-laws> (last visited October 16, 2023).

³ Table of State Animal Sexual Assault Laws, at <https://www.animallaw.info/topic/table-state-animal-sexual-assault-laws> (last visited October 16, 2023).

a. “Chat,” as used herein, refers to any kind of text communication over the Internet that is transmitted in real-time from sender to receiver. Chat messages are generally short in order to enable other participants to respond quickly and in a format that resembles an oral conversation. This feature distinguishes chatting from other text-based online communications such as Internet forums and email.

b. “Chat room,” as used herein, refers to the ability of individuals to meet in one location on the Internet in order to communicate electronically in real-time to other individuals. Individuals may also have the ability to transmit electronic files to other individuals within the chat room.

c. “Cloud storage,” as used herein, is a form of digital data storage in which the digital data is stored on remote servers hosted by a third party (as opposed to, for example, on a user’s computer or other local storage device) and is made available to users over a network, typically the Internet.

d. “Computer,” as used herein, refers to “an electronic, magnetic, optical, electrochemical, or other high speed data processing device performing logical or storage functions, and includes any data storage facility or communications facility directly related to, or operating in conjunction with, such device” and includes smartphones, other mobile phones, and other mobile devices. *See* 18 U.S.C. § 1030(e)(1).

e. “Computer hardware,” as used herein, consists of all equipment that can receive, capture, collect, analyze, create, display, convert, store, conceal, or

transmit electronic, magnetic, or similar computer impulses or data. Computer hardware includes any data-processing devices (including central processing units, internal and peripheral storage devices such as fixed disks, external hard drives, “thumb,” “jump,” or “flash” drives, which are small devices that are plugged into a port on the computer, and other memory storage devices); peripheral input/output devices (including keyboards, printers, video display monitors, and related communications devices such as cables and connections); as well as any devices, mechanisms, or parts that can be used to restrict access to computer hardware (including physical keys and locks).

f. “Computer passwords and data security devices,” as used herein, consist of information or items designed to restrict access to, or hide computer software, documentation, or data. Data security devices may consist of hardware, software, or other programming code. A password (a string of alpha-numeric characters) usually operates what might be termed a digital key to “unlock” particular data security devices. Data security hardware may include encryption devices, chips, and circuit boards. Data security software may include programming code that creates “test” keys or “hot” keys, which perform certain pre-set security functions when touched. Data security software or code may also encrypt, compress, hide, or “booby-trap” protected data to make it inaccessible or unusable, as well as reverse the process to restore it.

g. “Encryption” is the process of converting data into a code in order to prevent unauthorized access to the data.

h. The “Internet” is a global network of computers and other electronic devices that communicate with each other. Due to the structure of the Internet, connections between devices on the Internet often cross state and international borders, even when the devices communicating with each other are in the same state.

i. “Internet Service Providers” (“ISPs”), as used herein, are commercial organizations that are in business to provide individuals and businesses access to the Internet. ISPs provide a range of functions for their customers including access to the Internet, web hosting, email, remote storage, and co-location of computers and other communications equipment.

j. An “Internet Protocol address” or “IP address,” as used herein, refers to a unique numeric or alphanumeric string used by a computer or other digital device to access the Internet. Every computer or device accessing the Internet must be assigned an IP address so that Internet traffic sent from and directed to that computer or device may be directed properly from its source to its destination. Most ISPs control a range of IP addresses. IP addresses can be “dynamic,” meaning that the ISP assigns a different unique number to a computer or device every time it accesses the Internet. IP addresses might also be “static,” if an ISP assigns a user’s computer a particular IP address that is used each time the computer accesses the Internet. ISPs typically maintain logs of the subscribers to whom IP addresses are assigned on particular dates and times.

k. “Records,” “documents,” and “materials,” as used herein, include all information recorded in any form, visual or aural, and by any means, whether in handmade, photographic, mechanical, electrical, electronic, or magnetic form.

l. “Remote computing service,” as defined in 18 U.S.C. § 2711(2), is the provision to the public of computer storage or processing services by means of an electronic communications system.

m. A “storage medium” is any physical object upon which computer data can be recorded. Examples include hard disks, RAM, “thumb,” “jump,” or “flash” drives, CD-ROMs, and other magnetic or optical media.

n. “Visual depiction,” as defined in 18 U.S.C. § 2256(5), includes undeveloped film and videotape, data stored on computer disc or other electronic means which is capable of conversion into a visual image, and data which is capable of conversion into a visual image that has been transmitted by any means, whether or not stored in a permanent format.

SEARCH AND SEIZURE OF COMPUTER SYSTEMS

11. Based upon my training and experience, as well as conversations with other experienced law enforcement officers, I know that searches and seizures of evidence from computers commonly require agents to download or copy information from the computers and their components, or seize most or all computer items (computer hardware, computer software, and computer related documentation) to be processed later by a qualified computer expert in a laboratory or other controlled environment. This is almost always true because of the following:

a. Computer storage devices (e.g., hard drives, compact disks (“CDs”), tapes, and others) can store the equivalent of thousands of pages of information. Especially when the user wants to conceal criminal evidence, he or she often stores it in random order with deceptive file names. This requires searching authorities to examine all the stored data to determine whether it is included in the warrant. This sorting process can take days or weeks, depending on the volume of data stored, and it would be generally impossible to accomplish this kind of data search on site.

b. Searching computer systems for criminal evidence is a highly technical process requiring expert skill and a properly controlled environment. The vast array of computer hardware and software available requires even computer experts to specialize in some systems and applications, so it is difficult to know before a search which expert should analyze the system and its data. The search of a computer system, which includes the use of data search protocols, is an exacting scientific procedure which is designed to protect the integrity of the evidence and to recover hidden, erased, compressed, password protected, or encrypted files. Since computer evidence is extremely vulnerable to tampering or destruction (which may be caused by malicious code or normal activities of an operating system), the controlled environment of a laboratory is essential to its complete and accurate analysis. Based on my training and experience, as well as conversations with other law enforcement officers and computer forensic examiners, I know that computer forensic techniques can often recover files that have long been “deleted” from computer media by a

computer user.

BACKGROUND ON CYBER-CRIME, COMPUTERS AND THE INTERNET

12. Based on my training and experience in the investigation of computer-related crimes and from talking to experienced SAs and other law enforcement officers who have investigated crimes involving obscene material, I know the following:

a. Computers and digital technology are the primary way in which individuals interested in obscene materials interact with each other. Computers basically serve four functions in connection with obscene material: production, communication, distribution, and storage.

b. Digital cameras and smartphones with cameras save photographs or videos as a digital file that can be directly transferred to a computer by connecting the camera or smartphone to the computer, using a cable or via wireless connections such as "WiFi" or "Bluetooth." Photos and videos taken on a digital camera or smartphone may be stored on a removable memory card in the camera or smartphone. These memory cards are often large enough to store thousands of high-resolution photographs or videos.

c. A device known as a modem allows any computer to connect to another computer through the use of telephone, cable, or wireless connection. Mobile devices such as smartphones and tablet computers may also connect to other computers via wireless connections. Electronic contact can be made to literally millions of computers around the world. Obscene material can therefore be easily,

inexpensively and anonymously (through electronic communications) produced, distributed, and received by anyone with access to a computer or smartphone.

d. The computer's ability to store images in digital form makes the computer itself an ideal repository for obscene material. Electronic storage media of various types - to include computer hard drives, external hard drives, CDs, DVDs, and "thumb," "jump," or "flash" drives, which are very small devices that are plugged into a port on the computer - can store thousands of images or videos at very high resolution. It is extremely easy for an individual to take a photo or a video with a digital camera or camera-bearing smartphone, upload that photo or video to a computer, and then copy it (or any other files on the computer) to any one of those media storage devices. Some media storage devices can easily be concealed and carried on an individual's person. Smartphones and/or mobile phones are also often carried on an individual's person.

e. The Internet affords individuals several different venues for obtaining, viewing, and trading obscene materials in a relatively secure and anonymous fashion.

f. Individuals also use online resources to retrieve and store obscene materials. Some online services allow a user to set up an account with a remote computing service that may provide email services and/or electronic storage of computer files in any variety of formats. A user can set up an online storage account (sometimes referred to as "cloud" storage) from any computer or smartphone with access to the Internet. Even in cases where online storage is used, however, evidence

of obscene material can be found on the user's computer, smartphone, or external media in most cases.

g. A growing phenomenon related to smartphones and other mobile computing devices is the use of mobile applications, also referred to as "apps." Apps consist of software downloaded onto mobile devices that enable users to perform a variety of tasks – such as engaging in online chat, sharing digital files, reading a book, or playing a game – on a mobile device. Individuals commonly use such apps to receive, store, distribute, and advertise obscene materials, to interact directly with other like-minded offenders and to access cloud-storage services where obscene materials may be stored.

h. As is the case with most digital technology, communications by way of computer can be saved or stored on the computer used for these purposes. Storing this information can be intentional (*i.e.*, by saving an email as a file on the computer or saving the location of one's favorite websites in, for example, "bookmarked" files) or unintentional. Digital information, such as the traces of the path of an electronic communication, may also be automatically stored in many places (*e.g.*, temporary files or ISP client software, among others). In addition to electronic communications, a computer user's Internet activities generally leave traces or "footprints" in the web cache and history files of the browser used. Such information is often maintained indefinitely until overwritten by other data.

**CHARACTERISTICS COMMON TO INDIVIDUALS WHO ACCESS WITH
INTENT TO VIEW OBSCENE MATERIALS**

13. Based on my training and experience, and conversations with other experienced SAs and law enforcement officers who have conducted online investigations involving obscene materials, I know there are pornographic websites that advertise and host material meeting the 18 U.S.C. § 48 definition of animal crush videos depicting the abuse of animals for apparent sexual pleasure. I also personally reviewed published articles related to animal crushing fetishes. Specifically, I reviewed the written testimony Dr. Kevin Volkan presented to the Senate Judiciary Committee on September 15, 2010, in response to the decision in *United States v. Stevens*, 559 U.S. 460 (2010). At the time, Dr. Volkan was the Chair and Professor of Psychology, California State University Channel Islands. Dr. Volkan's written testimony was titled "Prohibiting Obscene Animal Crush Videos in the Wake of *United States v. Stevens*." In his testimony, Dr. Volkan explained the nature of "'crush' paraphilias" and described how "crush videos are sexual in nature and that those who watch crush videos do so to obtain sexual gratification." Dr. Volkan also said, "[g]iven the rather more primitive nature of the crush paraphilia and its high level of social unacceptability, it is likely that most individuals involved with crush paraphilias will not seek treatment or even be willing to acknowledge that they engage in this activity. These characteristics would indicate that there would be a strong commercial market for crush videos that can be watched in secret."

14. Other SAs and law enforcement officers also advised me of the following characteristics common to individuals who access obscene materials via the Internet based on their previous investigative experience related to investigations involving obscene materials, and the training and experience of other law enforcement officers with whom they have had discussions:

a. Such individuals may receive sexual gratification, stimulation, and satisfaction from viewing obscene materials in photographs, or other visual media, or from literature or writings describing such activity.

b. Such individuals may collect obscene materials in a variety of media, including photographs, magazines, motion pictures, videotapes, video recordings, books, slides and/or drawings or other visual media. Individuals who have an interest in obscene materials often use these materials for their own sexual arousal and gratification.

c. Such individuals almost always possess and maintain obscene materials in the privacy and security of their residences, attached or detached garages, associated outbuildings, their vehicles, or, at times, on their person, and/or other secure locations which they maintain dominion and control of, for ready access and to conceal these items from law enforcement, family members, or other individuals who frequent these areas. Individuals who have an interest in obscene materials typically retain those materials for many years.

d. Likewise, such individuals often maintain their obscene material in a digital or electronic format in a safe, secure and private environment, such as a

computer and surrounding area. These obscene materials are often maintained for several years and are kept close by, usually at the possessor's residences, attached or detached garages, associated outbuildings, their vehicles, or, at times, on their person, and/or other secure locations, or in cloud-based online storage, to enable the individual to view the obscene materials, which is valued highly. Some of these individuals also have been found to download, view, and then delete obscene materials on their computers or digital devices on a cyclical and repetitive basis.

e. Importantly, evidence of such activity, including deleted obscene materials, often can be located on these individuals' computers and digital devices through the use of forensic tools. Indeed, the very nature of electronic storage means that evidence of the crime is often still discoverable for extended periods of time even after the individual "deleted" it.

f. Such individuals also may correspond with and/or meet others to share information and materials, conceal such correspondence as they do their obscene material, and often maintain contact information (e.g., online messaging accounts, email addresses, etc.) of individuals with whom they have been in contact and who share the same interests in obscene material.

g. Such individuals prefer not to be without their obscene materials for any prolonged time period. This behavior has been documented by law enforcement officers involved in investigations related to obscene materials throughout the world.

h. Even if DEVILBISS uses a portable device (such as a mobile phone) to access the Internet and obscene materials, it is more likely than not that evidence of this access will be found in her home, the Subject Location, as set forth in Attachment A, including on digital devices other than the portable device (for reasons including the frequency of “backing up” or “synching” mobile phones to computers or other digital devices).

15. Based on all the information contained herein, I believe that DEVILBISS, who resides at the Subject Location, likely displays characteristics common to individuals who access obscene materials via the Internet.

UNLOCKING ELECTRONIC DEVICES USING BIOMETRIC FEATURES

16. I know from my training and experience, as well as publicly available materials, that encryption systems for mobile/smart phones and other electronic devices are becoming ever more widespread. Such encryption systems protect the contents of these devices from unauthorized access by users and render these contents unreadable to anyone who does not have the device’s password. As device encryption becomes more commonplace, the encryption systems implemented by device manufacturers are becoming more robust, with few, if any, workarounds available to law enforcement investigators.

17. I also know that many electronic devices, particularly newer mobile devices and laptops, offer their users the ability to unlock the device through biometric features in lieu of a numeric or alphanumeric passcode or password. These biometric features include fingerprint scanners, facial recognition features, and iris recognition

features. Some devices offer a combination of these biometric features, and the user of such devices can select which features they would like to utilize.

18. If a device is equipped with a fingerprint scanner, a user may enable the ability to unlock the device through his or her fingerprints. Examples of such devices providing a fingerprint unlocking capability are several models of Apple's iPhone, as well as several phones, including but not limited to the Samsung Galaxy, which use the Android operating system. Apple iPhones may be fingerprint unlocked using a function called Touch ID, which during setup allows for registering as many as five (5) fingerprints to unlock the device. Samsung's Galaxy S8 and S8+ models may be configured to be unlocked with as many as four (4) fingerprints. In fact, the number of electronic devices providing a fingerprint unlocking capability, including both smart phones and laptops, is growing continually.

19. If a device is equipped with a facial recognition feature, a user may enable the ability to unlock the device through his or her face. For example, this feature is available on certain Android devices and is called "Trusted Face." During the Trusted Face registration process, the user holds the device in front of his or her face. The device's front-facing camera then analyzes, and records data based upon the user's facial characteristics. The device can then be unlocked if the front-facing camera detects a face with characteristics that match those of the registered face. Facial recognition features found on devices produced by other manufacturers have different names but operate similarly to Trusted Face.

20. If a device is equipped with an iris recognition feature, a user may enable

the ability to unlock the device with his or her irises. For example, on certain Microsoft devices, this feature is called “Windows Hello.” During the Windows Hello registration, a user registers his or her irises by holding the device in front of his or her face. The device then directs an infrared light toward the user’s face and activates an infrared-sensitive camera to record data based on patterns within the user’s irises. The device can then be unlocked if the infrared-sensitive camera detects the registered irises. Iris recognition features found on devices produced by other manufacturers have different names but operate similarly to Windows Hello.

21. In my training and experience, users of electronic devices often enable the above-mentioned biometric features because they are considered a more convenient way to unlock a device than by entering a numeric or alphanumeric passcode or password. In some instances, biometric features are considered a more secure way to protect a device’s contents. This is particularly true when the users of a device are engaged in criminal activities and thus have a heightened concern about securing the contents of a device.

22. Related to the above discussion regarding encryption, if a forensic examination is not conducted shortly after seizing the device while it is in an unlocked state or unlocking the device using biometric features immediately upon seizing it, law enforcement investigators may completely lose the ability to forensically examine the device, assuming the device’s owner refuses to disclose the password. The passcode or password that would unlock any such device subject to search under this warrant is not known to law enforcement. Thus, law enforcement personnel may not otherwise

be able to access the data contained within the device, making the use of biometric features necessary to the execution of the search authorized by this warrant.

23. Biometric features will not unlock a device in some circumstances even if such features are enabled. This can occur when a device has been restarted, inactive, or has not been unlocked for a certain period of time. For example, Apple devices cannot be unlocked using Touch ID when: 1) more than 48 hours has elapsed since the device was last unlocked; or 2) when the device has not been unlocked using a fingerprint for eight (8) hours and the passcode or password has not been entered in the last six (6) days. Similarly, certain Android devices cannot be unlocked with Trusted Face if the device has remained inactive for four (4) hours. Biometric features from other brands carry similar restrictions. Thus, in the event law enforcement personnel encounter a locked device equipped with biometric features, the opportunity to unlock the device through a biometric feature may exist for only a short time.

24. Due to the foregoing, if law enforcement personnel encounter a device that is subject to seizure pursuant to this warrant and may be unlocked using one of these biometric features, the warrant I am applying for would permit law enforcement personnel to: 1) press or swipe the fingers (including thumbs) of Nicole Danielle DEVILBISS, whom I have probable cause to believe is the user of the device(s), to the fingerprint scanner of the device(s); 2) hold the device(s) in front of the face of Nicole Danielle DEVILBISS and activate the facial recognition feature; and/or 3) hold the device(s) in front of the face of Nicole Danielle DEVILBISS and activate the iris recognition feature, for the purpose of attempting to unlock the device(s) in order to

search the contents as authorized by this warrant. In the event that law enforcement is unable to unlock the subject device(s) within the number of attempts permitted by the pertinent operating system, this will simply result in the device(s) requiring the entry of a password or passcode before it can be unlocked.

25. Due to the foregoing, I request that the Court authorize law enforcement personnel to press the fingers (including thumbs) of Nicole Danielle DEVILBISS; hold the device(s) in front of the face of Nicole Danielle DEVILBISS and activate the facial recognition feature; and/or hold the device(s) in front of the face of Nicole Danielle DEVILBISS and activate the iris recognition feature, to unlock the electronic devices that may be seized at the Subject Location, so that investigators may conduct the search and examination as described in this Affidavit and Attachment B.

FACTS ESTABLISHING PROBABLE CAUSE

28. I make this affidavit in support of a search warrant for the Subject Location that I believe to be currently occupied by Nicole Danielle DEVILBISS, Cynthia Eleanor Rohm, and Ronald Wayne Batley, after conducting physical surveillance at the Subject Location and querying the Florida Driver and Vehicle Identification Database (“DAVID”) and the Jacksonville Electric Authority (“JEA”) database. This affidavit is based upon information provided to me both verbally and in written documentation from other law enforcement officers and personnel, to include HSI SAs Paul Wolpert and Gregory Bressette, as well as through an investigation I personally conducted as set forth herein. I have personally observed the residence, and it appears as set forth in Attachment A.

29. HSI is investigating the use of one or more computer devices, smart phones, and/or electronic storage media at the Subject Location to commit violations of 18 U.S.C. §§ 48, 1462, 371, and/or 2.

30. On or about September 12, 2023, I received information from HSI Norfolk, Virginia regarding an individual residing in Jacksonville, Florida who has been identified as an administrator of a Telegram⁴ group chat that was dedicated to the abuse, torture, and death of various-aged monkeys. The Telegram group chat included up to 60 members who reside in various locations across the United States, as well as internationally. Members of the Telegram group chat discussed different types of torture they wished to see inflicted on the monkeys. Members of the Telegram group chat viewed, exchanged, and commented on the videos that captured the abuse. The Telegram group chat members also discussed methods of providing “donations” to pay the individuals creating the videos in Indonesia.

31. On October 2, 2023, I received a thumb drive from HSI Norfolk containing records relevant to the investigation, including the Telegram group chat records, Cash App records, and numerous animal crush videos and images that were shared within the group chat. On the same day, I began reviewing the records.

32. During May 2022, HSI Norfolk, Virginia initiated an investigation into a co-conspirator (“C1”) residing in Chesapeake, Virginia who had organized and was

⁴ Telegram is an instant messaging service, which also provides video calling, voice over Internet Protocol (VoIP), file sharing, and other features. Chats, including group chats, are end-to-end encrypted. I know based on my experience, research, and consultation with other agents that Telegram is popular in Eastern Europe and Russia, is based in Dubai, and does not respond to or comply with governmental data requests, to include search warrants and subpoenas.

leading the Telegram group chat. On August 5, 2022, HSI SAs executed a federal search warrant at C1's residence and conducted a consensual interview. At this time, C1 has not been charged for any criminal conduct. During the interview, C1 admitted to running the Telegram group that was dedicated to the abuse, torture, and death of monkeys. C1 admitted to selling videos depicting "things happening to monkeys" to individuals and collecting payments via online payment services. C1 admitted to selling videos for approximately 6 months. C1 sent the links to the videos to others via email or in Telegram. C1 believed a male name "Mr. Ape" and a female in Telegram had paid others to make the videos.

33. C1 often changed the name of the Telegram group chat, but it was the same group. C1 identified DEVILBISS as one of the individuals C1 communicated with in Telegram and further identified her as one of the six administrators for the Telegram group chat. C1 knew DEVILBISS as "monkeybitxh," "Nikki," and/or "Dev" in Telegram. During the interview, C1 provided consent for HSI SAs to access C1's online accounts, including Telegram, Cash App and PayPal that were used to facilitate the monkey torture video activity.

34. During July 2022, HSI Birmingham, Alabama initiated an investigation into a second co-conspirator ("C2") residing in Titus, Alabama. On October 19 and 24, 2022, HSI SAs conducted consensual interviews of C2. At this time, C2 has not been charged for any criminal conduct. During the interview, C2 admitted to transmitting animal crush videos over the Internet using Telegram. C2 admitted to communicating with C1 and receiving videos of monkeys being tortured from C1. C2

admitted to receiving funds via Cash App for monkey torture videos.

35. During the interview, C2 provided consent for HSI SAs to search C2's electronic devices. Subsequently, HSI SAs located 82 videos of the torture and destruction of primates, including two videos displaying methods used to capture the primates. C2 identified to the HSI SAs the usernames C2 previously used.

36. During July 2022, HSI Medford, Oregon initiated an investigation into a third co-conspirator ("C3") residing in Prineville, Oregon. On February 2, 2023, HSI Medford executed a federal search warrant at C3's residence and conducted an interview. At this time, C3 has been arrested and charged with criminal conduct. During the initial interview on February 2, 2023, C3 admitted to being a contributing member of the Telegram group chat. C3 admitted to viewing the monkey torture videos that were shared and distributed within the Telegram group chat. C3 admitted to sending money to C2 via Cash App. C3 identified DEVILBISS, known to C3 as "Dev," as one of the administrators of the Telegram group chat. C3 stated C1 designated DEVILBISS as "one of the ones people helped because she was having problems with her baby." C3 admitted to sending money to DEVILBISS and said, "she was overall responsible for the group, who comes in and who doesn't, who gets kicked and why."

37. On June 13, 2023, HSI SAs arrested C3 and conducted a second, post-arrest interview. C3 believed C1 set up the administrator group within the Telegram group chat. C3 identified the individuals who were part of the administrator group, including "Dev." C3 stated the following about "Dev": C3 believed she lived in St.

Augustine, Florida because of pictures she posted of her kids in a volleyball tournament; C3 believed she had 2-3 kids, had long black hair, was thin and in her upper 30's; and C3 believed she talked about getting a job in the medical field. C3 stated when C1 left the group, C1 made "Dev" "the boss," however, C3 stated all administrators had the same capabilities. C3 spoke with "Dev" a couple of times and said, "she would tell stories about working with monkeys and that is where she started hating monkeys." C1 told C3 before C1 left that "Dev" would be taking over and be responsible for contacting the people to make new videos. C3 added, "she ("Dev") had talked about trying to find out new ways to come up with new videos and how to contact people to figure out how to get new videos into the group." C3 stated she was asking people for contacts on who to reach out to. C3 believed the videos C1 acquired cost between \$300.00 and \$700.00 each and C2 would take donations from multiple groups in amounts ranging from \$10.00 to \$50.00 to produce the videos.

38. As part of the investigative information received from HSI Norfolk on October 2, 2023, I reviewed the Telegram group chat records detailing the conversations of the Telegram group chat. The Telegram group chat records also include the images and videos that were shared and traded within the group. According to HSI Norfolk agents, the Telegram group chat records were obtained from C1's electronic device after C1 gave consent for agents to access C1's online accounts, as well as from the consent provided by C3 for agents to access the group during the execution of the search warrant at C3's residence.

39. A review of the Telegram group chat records revealed DEVILBISS was

identified as, and assumed the role of, an administrator for the duration of the group chat that ranged from June 23, 2022, through at least May 23, 2023. The following message was posted by C1 in the Telegram group chat on June 24, 2022, at 19:12 UTC:

Ok family....quick rundown...

Admins: Bones & Punisher are security admins who will watch for trends and shady stuff.

Nikki (Dev) is our Head Admin which means she runs the show & calls the shots when I'm not online, around or unavailable -please respect her as you would me.

Nat is our group admin which means she watches our growth, members coming n goings an how active they are and watches over our feed (what's being posted) and if she feels it's inappropriate she will remove it. I will promote 1 more person who will be our Archive admin, I'll send that person my entire collection of vids (over 4000) to post on our thread here as you feel needed so we have stuff to view, u can put up 1 vid a day or 50, up to that person, who I'll announce shortly. Let's once again put this shit behind us & move forward like we do.

40. DEVILBISS used the Telegram username "Dev" and often made comments within the Telegram group chat. Most of the comments focused on the abuse, torture, and killing of primates which the group refer to as "rats." The comments made by DEVILBISS were often part of longer text strings commenting on individual videos or images posted within the group chat that contained the abuse and torture of monkeys. The following is a sample of the comments DEVILBISS posted within the group chat and does not include every post she made from June 23, 2022, through May 23, 2023:

June 24, 2022, at 21:43 UTC – Hey my monkey hating family! How are we all doing?

June 24, 2022, at 22:06 UTC – I'm gonna hook my phone up to my MacBook tonight so I can back it up and update it so I may be MIA for a bit depending on how long it's gonna take. Then I'm gonna delete and remove everything off my phone I don't use and remove pics and videos I already have saved to the cloud, all so I can free up storage and actually be able to access and view the links sent from TK and Nat. I wish phones had terabytes worth of storage

June 29, 2022, at 02:39 UTC – I'm getting one this small one day! I swear it! Then there won't be anymore paying for content within this small group. Send in requests and it shall be done. Any outsiders wanting to see it will obvi pay and any sadistic affiliates will pay double.

July 8, 2022, at 21:03 UTC – You are a genius and are most appreciated for this. It's like a sweet symphony. Whenever I close my eyes and listen I can totally envision the pain they endure!

July 8, 2022, at 21:09 UTC – Have you guys seen the girl at Hengshui that has the baboon has a new little goblin. I think it's a vervet or some kind of langur baby. Either way I wanna bash it.

July 12, 2022, at 01:46 UTC – As far as nicknames I had to change my name because I started a new job and it seems a supervisor she's telegram and I can't have my name show up as monkeybitch for them to see. Apparently whether you want them to see it or not, if you have contacts in your phone book it auto puts them into your chat list as someone [sic] you can message...made me think I would show up for them as well with my original username. Makes me sad cause I love my username.

July 12, 2022, at 13:04 UTC – You guys are so kind and I know that you aren't wanting me to pay you back so, I'll respect that. However, I will be matching the amount donated to myself and my family, to our

new VO⁵ (whenever we get one).

July 18, 2022, at 04:45 UTC – Anyone in this group watching the content that’s posted and choosing not to communicate will be removed. I’m sick and fuckin tired of the high school gossiping bullshit. You’re all fuckin adults and I’m not having it anymore. TK has become a very good friend to me and has done anything and everything he can for us all! He isn’t the one that should be gone and as much as I want him to stay, I have no control over it. I do however, have control to remove those of you that lurk in the shadows. Time to go! [DEVILBISS removed approximately 11 individuals from the group chat.]

July 30, 2022, at 02:38 UTC – Do we have any of these full videos? Some of these I’ve never seen before so they must’ve been removed from YouTube before I got to them. Nat do you have some of these in those archives you shared?!

July 30, 2022, at 21:18 UTC – Is there a longer video of this ugly ass pigtail getting the shit beat out of him for being such a pussy and sucking on the other rats ear?! First of all cut off the little rats ears and then second see [sic] the pigtail rats mouth shut with fire ants inside

August 1, 2022, at 21:48 UTC – Yea he was in our old group. He use to be afraid to go and capture the rats and now he’s making videos?! This is awesome. Not that he was afraid he was just cautious. Bad use of words, but anyways this is great news. Price is a bit steep in comparison especially if the videos aren’t of baby rats. I’ll let the group decide and go along with the majority tho.

August 2, 2022, at 18:05 UTC – If you’re gonna nab an adult rat then get the one with a baby attached. I

⁵ Based on my review of the conversations, I believe “VO” is an abbreviation for videographer and refers to the people who create the primate torture videos.

think most of us like to see the babies. Personally not that into seeing the older rats get messed with.

September 1, 2022, at 11:50 UTC – So I'm all for reaching out to Pochet but we just have to be prepared to possibly be fucked out of money. I'd rather go through Pochet than casino tho. There's something about him. I've been in chats with him for a long time up until we did the cleaning out of snitches and bitches, and he is wayyyy different from what he was like before. I don't trust the dude and he isn't willing to do anything with baby monkeys. He complains about how hard it is to get a hold of one and that just shows me he is going to overcharge for anything involving a baby or newborn rat. Pochet is about that life and genuinely enjoys fuckin up baby/newborn rats because he just wants the money for booze

September 18, 2022, at 21:34 UTC – You talking about the Bonnet macaques?! These are called Rhesus Macaques. They're the monkeys here in Florida.

September 19, 2022, at 23:09 UTC – Looks like it's a mixture of oil and water at first because of how it boils. Either that or it's a cleaning product of some sort. So whatever happened to the little longtail rat that was being beaten up? There was a second video that showed flashes of it being tortured in a bathroom but nothing since. [This comment was made after a video was shared that depicted some sort of boiling liquid being poured on to a baby monkey who was trapped in a clear container.]

September 24, 2022, at 02:12 UTC – I'm talking with chiro's owners right now about Chika. He actually hates them but does it for the money. That's why they're so scared of him.

September 24, 2022, at 21:29 UTC – A lot of us donated and a lot of us were hung out to dry because of okebro not coming through. I know the money

was sent to him because I saw the receipt myself.

September 25, 2022, at 22:37 UTC – Yea Mr Oliver was a good channel. So was animal rescue. They fucked Bella up big time. She couldn't even breath through her nose because they would squeeze around her neck so tightly. She always have that stupid look on her face because she had to breath with her mouth open. I miss SUSU too. Him and his little fake ass snake bite wound. That woman was hilarious with him and her daughter was the best abuser to PoPo.

September 27, 2022, through September 30, 2022 – DEVILBISS posted a video of her minor daughter playing volleyball inside the St. Augustine High School gym, a video of her backyard at the Subject Location showing bad weather during a hurricane, and multiple images of St. Augustine Beach showing the group this is where she is from.

October 3, 2022, at 20:43 UTC – They're in Gainesville and Ocala area. I've seen em just can't really get close to them without Karen's seeing you, but believe it or not I think they're actually there for the same reason. You can have them as pets here in fla. just gotta have the proper certificates...which I do. ...& I'm badly in need of a support monkey if anyone is down to come to Florida and nab one for me for a fee \$\$ and obviously free videos. I want the newest of the newborns tho. We gotta start the mental fuckery while they're young ya know. Btw if this is a possibility I'm trying to think of a way for all 20+ of us to anonymously capitalize off of it. I'm not greedy and I wanna share the wealth. Videos would be free for this group but for others there would be a fee and the finder would get half of the fee. Id wanna do videos at a min of 15-20 minutes. Make it worth the money, but it would be a Rhesus which there are no videos out of baby Rhesus rats getting fucked up except by they own mommas! Just throwing it out there if anyone is interest in all of the above.

October 5, 2022, at 19:37 UTC – This moron did too much at once and the thing is basically dead at the

tail burning. It's breathing was agonal and that rat was going straight into the light. THESE VO'S NEED TO REMEMBER YOU HAVE TO OACE [sic] YOURSELF OTHERWISE IT'S NOT WORTH DOING THE VIDEO!! That's why I like dude with the leopard rug. He gives it time to one [sic] back and think it's over....and then smack! Right back to reality of being in a torturous hell!

October 6, 2022, at 13:35 UTC – Ok I'm talking to Lie, Chiro's owner. How much per video would you guys suggest. Give me some ideas pending what type of content. [DEVILBISS posted a screenshot of communication with a contact named "Baby Monkey Chiro" with "Re: Newborn monkey" written in the subject line. The message says: "Hello! My name is Lie. maybe you can explain in more detail. How and how much money do you want to pay."]

October 7, 2022, at 00:47 UTC – No worries we are a group that has each other's backs and as of right now I just want to remind those of you that helped me in a really dark place where I was actually scared about how I was going to be able to support my kids when I lost my job.... This video is on me! Please let me know when payment needs to be made. DM me whoever is handling it so I can get you the funds to pay for the video for everyone!!

So I'm trying to talk to Lie about a subscription plan so to speak (pending agreement of content requested) I'm asking for 5 videos a month min of 15 min and payment of starting offer will be \$150 per month half initially and other half after at least 3-4 videos OR if through a secure payment portal like pay pal (where refund is guaranteed if goods not delivered) payment in full after 3 videos. I'd say a minimum of 3 months so he'd make \$450 and we would get 15 videos with at least 15 min of viewing pleasure sooo 225 minutes of video. I want to have a contract of sorts written up with whatever PayPal name we choose for our acct so refund is absolute if we don't receive what is requested. As well as guarantee he knows exactly

what we are looking for in the videos. Example: make sure to pause for a moment and show the rats face so we can see the fear and what not...What do you guys think about that? I'm 150% open to any and all suggestions so we can have everything agreed upon if this does go through positively.

October 7, 2022, at 08:16 UTC – Dude I know I'm a little shithead whenever I comment, but I legit love ALL of the content that is shared in this group. I just possess Anthony Jeselnik worthy humor. (If you don't know who he is, pls research on YouTube and thank me later.)

October 14, 2022, at 01:52 UTC – Hey Stapes could I share my TeraBox videos with you to save to your collection and possibly upload to this chat at your convenience so I can save them to an external⁶?

41. As part of the investigative information received from HSI Norfolk on October 2, 2023, I reviewed the Cash App records. During my review, I learned, on or about June 30, 2023, HSI Norfolk caused a summons to be issued to Block, Inc. (formerly known as Square, Inc. and currently operates Cash App) requesting subscriber, account, and transaction information for the account with \$Cashtag⁷ "xnicdevx," believed to be owned by DEVILBISS. On or about July 3, 2023, Block, Inc. provided the requested information and I have reviewed it in its entirety. The information provided revealed the account was created on or about July 7, 2020, using the name "Nicole DeVilbiss," with date of birth August 25, 1988, and email address nicoledev869@gmail.com. The display name for the account is "Nicole DeVilbiss."

⁶ Based on my training and experience, I believe this is a reference to an external hard drive.

⁷ Based on my training and experience, a \$Cashtag is a unique identifier for individuals and businesses chosen by the user.

According to Block, Inc., DEVILBISS updated her \$Cashtag to “xnicdevx” on July 26, 2020, updated her address to the Subject Location on December 9, 2021, and updated her phone number to (904) 649-3630 on July 10, 2021.

42. During my review of the Cash App transactions conducted by DEVILBISS, I learned the following:

a. On April 12, 2022, DEVILBISS sent “Mister Ape” \$20.00 with a monkey emoji and power tool emoji in the subject line. The investigation to date has identified “Mister Ape” as a co-conspirator.

b. On April 27, 2022, DEVILBISS sent C1 \$40.00 with an open mouth emoji in the subject line.

c. On May 4, 2022, DEVILBISS sent C2 \$40.00 with the words “wish I could do more luv” and a heart emoji in the subject line.

d. On June 23, 2022, and June 26, 2022, DEVILBISS received \$50.00 on both occasions from C3 with the words “stuff” and “for sexy nurse pictures” in the subject lines.

43. The Telegram chat contained content consistent with the definition of animal crushing as defined by 18 U.S.C. § 48. One of these animal crush videos that was shared within the Telegram group chat is titled *video_4@30-07-2022_08-22-29.mp4* and was posted on July 30, 2022, at 07:58 UTC. I have obtained and reviewed the video. Please be advised the content may be disturbing. The video depicts the following:

The color video with sound is 1 minute and 13 seconds in length and depicts a very young monkey bound to a tree. The monkey's hands are secured above its head and the monkey's legs are secured in an open position. As there are no visible ropes, it appears the monkey is secured to the tree with nails, or something similar, through both hands and feet. The monkey's genitals are exposed. An unidentified human uses a machete to cut off the monkey's genitals on two occasions during the video. The monkey visually and audibly appears to be in severe pain for the duration of the video. The video captures close-up shots of the monkey's bleeding genital area and the severed genitals on the tree. The unidentified human then uses the machete to cut off a portion of the monkey's tail while still bound to the tree.

44. Based on my investigation and review of the chats, the statements provided by C1, C2, and C3, and the methods the Telegram group used to collect money to fund the creation of animal crush videos, I believe DEVILBISS, and others, provided funding that contributed to the production and exchange of animal crush videos within the Telegram group chat that DEVILBISS served as an administrator. Additionally, DEVILBISS received and viewed the animal crush videos, as well as encouraged the creation of new animal crush videos, as an active member of the Telegram group chat. Specifically, I believe DEVILBISS's comment in the subject line that was a monkey emoji and power tool emoji when she paid "Mister Ape" and her payment to C2, that were both found in her Cash App account, as well as her numerous comments posted in the Telegram group chat, including her intention to coordinate a future subscription plan, indicate that DEVILBISS sent money to support and further the production of animal crush videos to be provided to members of the Telegram chat group.

45. On or about September 19 and 20, 2023, Intelligence Analyst Jamie Davis and I conducted research on the Subject Location. According to DAVID, Ronald Wayne Batley, date of birth: XX/XX/1959, lists the Subject Location as his residential address on his driver's license and he updated his mailing address to the Subject Location on August 6, 2022. Also, according to DAVID, Nicole Danielle DEVILBISS, date of birth: 8/25/1988, updated her mailing address to the Subject Location on August 6, 2022. DEVILBISS's residential address on her driver's license is listed as 8880 Old Kings Road S, Unit 95, Jacksonville, Florida 32257, which is the unit she lived in prior to moving to the Subject Location.

46. According to the JEA database, there is an active residential utility account at the Subject Location in the name of Ronald Wayne Batley. The service start date was January 6, 2022. I also learned from querying the JEA database that DEVILBISS has not had an active residential utility account since November 5, 2021. A query of the Property Appraiser's Office website in Duval County, Florida, revealed Boromam LLC in Salisbury, New York is the owner of the Subject Location.

47. On October 4, 2023, I caused a summons to be issued to T-Mobile requesting subscriber, account, and device information for phone number (904) 649-3630. On October 13, 2023, T-Mobile provided subscriber information and I reviewed it in its entirety. The subscriber's name on the account is Ronald Batley residing at the Subject Location. Additional account and device information is currently pending.

48. On October 4, 2023, I caused a preservation letter to be sent to Google to preserve the contents of DEVILBISS's Google account, nicoledev869@gmail.com.

49. On October 4, 2023, I caused a summons to be issued to Comcast requesting subscriber information and IP address history at the Subject Location since January 1, 2022. I received return information from Comcast on October 5, 2023, and reviewed the records in their entirety. I learned the following:

a. The information provided listed the account as active and the subscriber as Ronald Batley with phone number (904) XXX-XXXX. The type of service listed at the Subject Location is "Internet" and the start of service date was November 23, 2021. The account lists the following two E-mail user ID's that end in "@comcast.net": "rbatley01" and "nicoledev869."

b. The current IP address assigned to the Subject Location is 73.53.222.63 and has been assigned to the Subject Location since April 7, 2023. Based on previous investigations I have conducted and my conversations with Comcast personnel, I know Comcast only retains records for a period of 180 days. In this case, Comcast was unable to provide information ^{before (?)} ~~beyond~~ April 7, 2023, once they received my summons on October 4, 2023. During my review of the Cash App transactions conducted by DEVILBISS, I learned Cash App captured IP addresses associated to each transaction. Specifically, DEVILBISS was connected to IP address 73.53.222.63 on April 12, 2022, when she sent "Mister Ape" \$20.00 with a monkey emoji and power tool emoji in the subject line and on May 4, 2022, and when she sent C2 \$40.00 with the words "wish I could do more luv" and a heart emoji in the subject line. Therefore, although Comcast does not retain records longer than 180 days, it appears based on DEVILBISS's conduct, she had the same IP address prior to April 7, 2023.

50. During October 2023, HSI Task Force Officers (TFOs) and I conducted visual surveillance at the Subject Location. On October 5, 2023, at approximately 3:25 p.m., I observed a red Dodge Ram truck, bearing Florida license plate IZD J92, parked in a parking space in front of the Subject Location. According to DAVID, the 2008 Dodge Ram truck, bearing Florida license plate IZD J92, is registered to Ronald Wayne Batley at the Subject Location. On the same day, at approximately 8:15 p.m., I conducted visual surveillance at the Subject Location and observed the same red Dodge Ram truck, bearing Florida license plate IZD J92, backed into a parking space in front of the Subject Location.

51. On October 6, 2023, HSI TFO Joshua Carter told me he conducted visual surveillance at the Subject Location. At approximately 5:35 p.m., HSI TFO Carter observed the red Dodge Ram truck driven by a white female arrive and park in front of the Subject Location. Approximately one minute later, HSI TFO Carter observed the white female driver, matching the description of Cynthia Eleanor Rohm⁸ from her driver's license photo, who is Nicole Danielle DEVILBISS's mother, exit the vehicle and walk into the Subject Location. I later confirmed during visual and mobile surveillance on October 18, 2023, when I followed her from the Subject Location to her place of employment in the same red Dodge Ram truck, this female was Rohm. Over the next several minutes, HSI TFO Carter observed a second white female, who

⁸ Rohm appears to live at the Subject Location based on surveillance but does not list the Subject Location as her residence on her driver's license.

matches the description of Nicole Danielle DEVILBISS, walking in and out of the Subject Location unloading, what appeared to be groceries, from the back seat of the vehicle. HSI TFO has seen multiple photos of DEVILBISS from her Facebook page and has reviewed her driver's license photo. HSI TFO Carter also reviewed a photo of DEVILBISS taken by the St. Augustine Police Department when she was arrested on April 12, 2023.

52. On October 13, 2023, I conducted visual surveillance at the Subject Location. At approximately 8:20 a.m., I observed an older white male, who appeared to be a neighbor, walk up to the front door of the Subject Location holding a white step stool. I observed another older white male, matching the description of Ronald Wayne Batley from his driver's license photo, open the front door of the Subject Location allowing the neighbor to enter the residence. At approximately 8:30 a.m., both males exit the front door of the Subject Location and move what appeared to be a white appliance from the right side of the front patio to the left corner of the front patio. Immediately after moving the appliance, the neighbor walked away from the Subject Location.

53. On the same date, at approximately 2:00 p.m., I observed the same older, white male identified as Batley, walk away from the Subject Location and return at approximately 4:45 p.m. At approximately 4:58 p.m., I observed the red Dodge Ram truck, bearing Florida license plate IZD J92, pull into the condominium complex and park in a parking space directly in front of the Subject Location. Seconds later, I observed Rohm open the driver's side door, exit the vehicle, and walk into the Subject

Location carrying multiple bags. As Rohm exited the vehicle, I was able to see her clothing and she was wearing a light-colored long sleeve shirt with what appeared to be a monkey's face on the front of it.

54. On October 19, 2023, I conducted visual and mobile surveillance at the Subject Location. At approximately 1:52 p.m., I observed DEVILBISS exit the Subject Location and walk directly to the passenger's side of red Dodge Ram truck. DEVILBISS was observed walking quickly in and out of the Subject Location multiple times and, at one point, placed her female child in the rear passenger seat of the red Dodge Ram truck. Seconds later, I observed Rohm walk out of the Subject Location and get into the driver's seat of the red Dodge Ram truck. At approximately 1:54 p.m., the red Dodge Ram truck drove away from the Subject Location. Mobile surveillance was conducted while Rohm and DEVILBISS stopped at multiple locations in Jacksonville. At one location, I observed DEVILBISS slowly walking her child in a stroller through the parking lot and around a building multiple times while Rohm was inside the building. At approximately 4:07 p.m., I observed the red Dodge Ram truck pull into the condominium complex and park in a parking spot in front of the Subject Location. DEVILBISS immediately exited the red Dodge Ram truck and quickly walked into the Subject Location. Seconds later, DEVILBISS quickly returned to the red Dodge Ram truck, took her child out of the rear passenger seat, and quickly walked back into the Subject Location. I also observed Rohm exit the driver's seat of the red Dodge Ram truck and walk into the Subject Location.

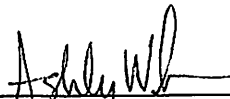
55. On October 12, 2023, I requested information from the United States

Postal Service (USPS) regarding the Subject Location and received a response on October 24, 2023. According to USPS records, the residents receiving mail at the Subject Location are DEVILBISS, Cynthia Rehm (believed to be Cynthia Rohm), and Ron Batley. Two other names provided by the USPS are believed to be DEVILBISS's minor children.

CONCLUSION


56. Based on the foregoing, I have probable cause to believe that Nicole Danielle DEVILBISS has used and is using one or more computer devices, smart phones, and/or electronic storage media located in the residence located at 8880 Old Kings Road S, Unit 54, Jacksonville, Florida 32257, more fully described in Attachment A to this affidavit to violate 18 U.S.C. §§ 48, 1462, 371, and/or 2. Additionally, I have probable cause to believe that fruits, evidence, and instrumentalities of violations of 18 U.S.C. §§ 48, 1462, 371, and/or 2, including at least one computer device and/or other electronic storage media containing images and/or video depicting animal crush videos, and the items more fully described in Attachment B to this affidavit (which is incorporated by reference herein), will be located in this residence.

57. I am aware that the recovery of data by a computer forensic examiner takes significant time. For this reason, the “return” inventory will only contain a list of the tangible items seized and recovered from the Subject Location and will not list electronic and digital evidence later recovered and examined by a forensic examiner.



ASHLEY WILSON, Special Agent
Homeland Security Investigations

Sworn and subscribed to me on this 27th day of October, 2023, in Jacksonville, Florida:



LAURA LOTHMAN LAMBERT
United States Magistrate Judge

ATTACHMENT A

RESIDENCE TO BE SEARCHED

The residence to be searched (Subject Location) is a condominium unit located at 8880 Old Kings Road S, Unit 54, Jacksonville, Florida 32257, and within the community referred to as "The Preserve at San Jose." The entrance to this condominium complex can be accessed by turning southwest into it from Old Kings Road S. Unit 54 is connected to the first building on the left after making an immediate right turn, then an immediate left turn from the entrance road of the condominium complex. Unit 54 is a two-story, light colored brick building with white accent trim around the doors and windows. There are dark grey shingles covering the roof. Unit 54 has an enclosed patio next to the front door. A sliding door can be seen from the parking lot within the enclosed patio. Multiple windows on the second floor of Unit 54 can be seen from the parking lot. There are green bushes in front of the enclosed patio. There is a sidewalk that leads to the front door of Unit 54 from the parking lot. The front door of Unit 54 can be seen from the parking lot. It is a gray door with white trim and white-colored numbers "54" are affixed to the upper right corner of the trim. Several photos of the Subject Location are set forth below:



ATTACHMENT B

DESCRIPTION OF ITEMS TO BE SEARCHED AND SEIZED

The following materials, which constitute evidence of the commission of a criminal offense, contraband, the fruits of crime, or property designed or intended for use or which is or has been used as the means of committing a criminal offense, namely violations of 18 U.S.C. §§ 48, 1462, 371, and/or 2 (hereinafter, "Target Offenses"):

1. Computers or storage media used as a means to commit the violations described above.
2. For any computer or storage medium whose seizure is otherwise authorized by this warrant, and any computer or storage medium that contains or in which are stored records or information that is otherwise called for by this warrant (hereinafter, "COMPUTER"):
 - a. Evidence of who used, owned, or controlled the COMPUTER at the time the things described in this warrant were created, edited, or deleted, such as logs, registry entries, configuration files, saved user names and passwords, documents, browsing history, user profiles, email, email contacts, "chat," instant messaging logs, photographs, and correspondence;
 - b. evidence of software that would allow others to control the COMPUTER, such as viruses, Trojan horses, and other forms of

malicious software, as well as evidence of the presence or absence of security software designed to detect malicious software;

- c. evidence of the lack of such malicious software;
- d. evidence indicating how and when the computer was accessed or used to determine the chronological context of computer access, use, and events relating to the crime(s) under investigation and to the computer user;
- e. evidence indicating the computer user's knowledge and/or intent as it relates to the crime(s) under investigation;
- f. evidence of the attachment to the COMPUTER of other storage devices or similar containers for electronic evidence;
- g. evidence of programs (and associated data) that are designed to eliminate data from the COMPUTER;
- h. evidence of the times the COMPUTER was used;
- i. passwords, encryption keys, and other access devices that may be necessary to access the COMPUTER;
- j. documentation and manuals that may be necessary to access the COMPUTER or to conduct a forensic examination of the COMPUTER;
- k. records of or information about Internet Protocol addresses used by the COMPUTER;
- l. records of or information about the COMPUTER's Internet activity, including firewall logs, caches, browser history and cookies, "bookmarked" or "favorite" web pages, search terms that the user

entered into any Internet search engine, and records of user-typed web addresses; and;

m. contextual information necessary to understand the evidence described in this attachment.

3. Routers, modems, and network equipment used to connect computers to the Internet.
4. Animal crush videos, as defined by 18 U.S.C. § 48(a).
5. Obscene materials as defined by the United States Supreme Court in *Miller v. California* and subsequent cases discussing the definition of obscenity.
6. Records, information, and items relating to violations of the statutes described above including:
 - a. Records, information, and items relating to the occupancy or ownership of the Subject Location, including utility and telephone bills, vehicle registrations, mail envelopes, or addressed correspondence;
 - b. Records, information, and items relating to the ownership or use of computer equipment found in the above residence, including sales receipts, bills for Internet access, and handwritten notes;
 - c. Records and information relating to the identity or location of the persons suspected of violating the statutes described above;
 - d. Records and information relating to creating, selling, marketing, advertising, exchanging or distributing animal crush videos and/or

obscene materials, including correspondence and communications between others engaged in the same.

As used above, the terms “records” and “information” includes all forms of creation or storage, including any form of computer or electronic storage (such as hard disks or other media that can store data); any handmade form (such as writing); any mechanical form (such as printing or typing); and any photographic form (such as microfilm, microfiche, prints, slides, negatives, videotapes, motion pictures, or photocopies).

The term “computer” includes all types of electronic, magnetic, optical, electrochemical, or other high speed data processing devices performing logical, arithmetic, or storage functions, including desktop computers, notebook computers, mobile phones, tablets, server computers, and network hardware.

The term “storage medium” includes any physical object upon which computer data can be recorded, including external and internal hard drives, flash drives, thumb drives, micro SD cards, macro SD cards, DVDs, gaming systems, SIM cards, cellular phones capable of storage, compact discs, magnetic tapes, memory cards, memory chips, and other magnetic or optical media.

During the execution of the search of the Subject Location described in Attachment A, law enforcement personnel are also specifically authorized to compel DEVILBISS to provide biometric features, including pressing fingers (including thumbs) against and/or putting a face before the sensor, or any other security feature requiring biometric recognition, of:

- (a) any of the DEVICES found at the Subject Location or on DEVILBISS's person and
- (b) where the DEVICES are limited to those which are capable of containing and reasonably could contain fruits, evidence, information, contraband, or instrumentalities of the offense(s) as described in the search warrant affidavit and warrant attachments, for the purpose of attempting to unlock the DEVICE's security features in order to search the contents as authorized by this warrant.

This warrant authorizes a review of electronic storage media and electronically stored information seized or copied pursuant to this warrant in order to locate evidence, fruits, and instrumentalities described in this warrant.