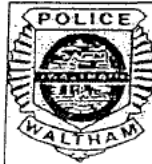


Thomas LaCroix, Chief of Police
William Stanton, Detective Division Captain
155 Lexington Street, Waltham, MA 02452
Telephone Number 781-314-3550
Fax Number 781-314-3570



Waltham Police Department

JOHN COMEAU
Detective

Voice: 781.314.3572
Fax: 781.314.3570
jcomeau@police.waltham.ma.us

Business: 781.314.3550
155 Lexington Street
Waltham, MA 02452

Fax

COPIED

To: [REDACTED] **From:** Det. John Comeau
Fax: [REDACTED] **Pages:** 1 of 9
Phone: [REDACTED] **Date:** Tuesday, December 01, 2009
Re: **CC:**

Urgent For Review As Requested Please Reply Please Confirm

● **Comments:** For your review.

Thank You.

NOTICE OF CONFIDENTIALITY: The documents accompanying this facsimile transmission contain information from the Waltham Police Department that may be confidential and/or privileged. The information is intended for use by the individual or entity named on this transmittal sheet. If you are not the intended recipient, be aware that disclosure, copying, distribution, or use of the contents of the transmission is prohibited.

**ADMINISTRATIVE SUBPOENA REQUEST FORM
MIDDLESEX DISTRICT ATTORNEY'S OFFICE**

Please fax completed form & police report to (781) 897-6701

Date: 12/1/2009	Requestor: Detective John Comeau	Badge #:18
Police Department: Waltham	Unit/Bureau: Detective Division	
Telephone Number: 781-314-3550	Fax Number: 781-314-3570	
Address: 155 Lexington St Waltham, Ma 02452		

Complete This Section If You Are Seeking Information About a Telephone Number

Telephone Number: DEC 270113177709348851 HEX A10000018EA6F3	Subscriber's Name: (if known)
Location of Telephone: The cellular phone is in the custody of the Waltham Police Department's evidence room. Found at the scene of the crime.	Name of Telephone Company: Sprint

Check Applicable Boxes:

Seeking: Subscriber Information

Incoming and Outgoing Call Detail Records for the time period of ___ / ___ /2009 to ___ / ___ /2009

Chapter 271, §17B requires that District Attorney issuing administrative subpoena have a belief that the Telephone or beeper is being used to commit a crime. An administrative subpoena may not be used to obtain evidence, or to locate a person, unless there is a reason to believe that the telephone or beeper is being used in furtherance of criminal activity.

Summarize below the basis of your belief that the telephone or beeper is being used to commit a crime. This section must be completed. **Please provide police report.**

On 10/25/2009 00:48:26 patrol units were dispatched to [REDACTED] for a report of an assault and battery.

Officers spoke to [REDACTED] who stated that three males beat up his father [REDACTED]. Elder [REDACTED] stated that his father was now in the bath room. Officers observed a large amount of blood on the floor of the kitchen. This blood leads to the bathroom.

The victim [REDACTED] stated that three Hispanic males broke into his house and assaulted him. [REDACTED] stated that one of the males was armed with brass knuckles. [REDACTED] stated that he did not know the males. Once the males heard that his wife [REDACTED] was calling 911, the three males left the residence.

[REDACTED] who is [REDACTED]'s son stated that they found a cell phone that does not belong to any one in the house hold and may belong to one of the suspects. The phone was found on the floor in the kitchen area. The phone appeared locked and Officer's on scene could not gain access to retrieve information. The phone is a black and blue Samsung / Sprint cell phone that was tagged and placed into evidence at the Waltham police station.

I know from my training, and experience that cellular telephones have a DEC and a HEX number located in the rear of the phone and that number can be traced by the cell phone carrier, in this case Sprint, to determine who the subscriber of the cell phone is, and this information will assist me in determining the identity of the suspect(s) who dropped the phone at [REDACTED] in Waltham, MA. I also know that cell

phones have the following numbers inside the cell phone which can assist in identifying the subscriber of the phone: The IMIE number, the Code number, the FCC number and the IC number.

I have probable cause to believe that evidence of the suspect involved in the crimes of assault and battery in violation of G.L. c265: §13A, break and entry at night G.L. c266: §16, and assault and battery with dangerous weapon G.L. c265: § 18A may be found inside the cell phone. This evidence may be found in the electronically stored information, including the telephone number of the phone itself, and subscriber information within the phone.

For use by District Attorney's Office:		
Case Type/Crime Type		
Approved:	ADA:	Date:
Denied:		
Notes:		

COPY

CONFIDENTIAL



SPRINT CORPORATE SECURITY, 6480 SPRINT PARKWAY, OVERLAND PARK, KS 66251

Facsimile

To:	Kyle Reed	From:	Marini Scott
Fax:	7818978862	Department:	Legal Compliance
Company:	Middlesex District Attorney	Voice:	1-800-877-7330
Date:	December 16, 2009	Fax:	816-600-3111

Comments:

Sprint
Corporate Security
Mailstop KSOPHM0206
6480 Sprint Parkway
Overland Park, KS 66251
Office: 913-315-0660 Fax: 816-600-3111
E-mail: marini.d.brown@sprint.com

[REDACTED]
Subpoena Specialist

12/16/2009

Requestor Kyle Reed
Middlesex District Attorney
15 Commonwealth Avenue
2nd Floor
Woburn, MA 01801

Your Case Number: NONE PROVIDED
Sprint Case Number: [REDACTED]

Dear Requestor Kyle Reed,

Pursuant to the above-referenced case, I am enclosing the requested information for the specified time period associated with the following number(s).

Should you have any questions or further inquiries, please contact the Sprint Subpoena Compliance Group at 866-259-7534.

Sincerely,

[REDACTED]
Subpoena Compliance
Sprint Corporate Security
[REDACTED]@sprint.com

Enclosures

*Notice: If the records contained in the attached package are utilized in trial proceedings, and if you require a records custodian for authentication, be advised Sprint does not have local representatives. Sprint's Trial Team is located at our Corporate Headquarters in Overland Park, Kansas. You will need to contact the Trial Team at CSTrialTeam@Sprint.com or call our office at 913-315-8775. Our office will require at least two-weeks notice in addition to pre-paid travel arrangements by your office.

Sprint L-Site

Sprint has an interactive web tool for law enforcement known as L-Site. If you are unfamiliar with L-Site and wish to obtain further information, please send an email to: L-Site@Sprint.com.

Sprint Subscriber Information
Sprint Case #: [REDACTED]
Reference Case #: NONE PROVIDED

Request Type: Subscription Info (Basic)
 Date Range: 12/9/2009 to 12/9/2009
 Subject Number: [REDACTED]
 Comments: Please see the enclosed documents.

Request Type: Subscription Info (Basic)
 Date Range: 12/9/2009 to 12/9/2009
 Subject Number: [REDACTED]
 Comments: Please see the enclosed documents.

***Search results indicate one or more of the numbers listed on the above-referenced legal demand may belong to Boost, a Sprint prepaid phone service. Our office maintains subscriber information for Boost accounts, but this information is often inaccurate or incomplete, as no identification is required when purchasing a Boost phone. Payment information is also available for Boost accounts. However, this information, while accurate, may not be complete. As Boost accounts are prepaid, no bill reprints are available. We are able to provide call detail records for iDEN Boost accounts for the most recent 24-month period. Call detail records for CDMA Boost accounts are available for mid November to the present.**

12/16/2009
BAN: 660591988

Page 1 of 2

Subscriber History

Account details:

BAN: 660591988
 Account Billing Name: [REDACTED]
 Account Billing Address: WALTHAM MA [REDACTED]
 Account Billing City: WALTHAM
 Account Billing Zip: [REDACTED]
 Account Billing State: Massachusetts
 Account Establish Date: [REDACTED]
 Account Contact Phone Number: [REDACTED]
 Account Disconnect Reason:

Subscriber Details:

User Name: [REDACTED]
 Current as of: 12/16/2009

PTN	UFMI	IP	NAI	IMSI/MSID	Serial Number	Type
[REDACTED]					[REDACTED]	E

Subscriber Initial Start Date: 06/29/2008 Subscriber Disconnect Reason: Act:

History:

PTN	UFMI	IP	NAI	IMSI/MSID	Serial Number	Status	Effective	Expiration
					[REDACTED]		10/28/2009	00/00/0000
					[REDACTED]	CAN	10/28/2009	10/28/2009
					[REDACTED]	CAN	05/11/2009	10/28/2009
					[REDACTED]	CAN	01/20/2009	05/11/2009
					[REDACTED]	CAN	08/01/2008	01/20/2009
					[REDACTED]	CAN	07/21/2008	08/01/2008
			[REDACTED]		[REDACTED]	CAN	06/29/2008	08/08/2008
			[REDACTED]		[REDACTED]	CAN	06/29/2008	08/08/2008
					[REDACTED]		06/29/2008	00/00/0000
					[REDACTED]		06/29/2008	00/00/0000
					[REDACTED]	CAN	06/29/2008	07/21/2008

CAN = Cancelled, SUS = Suspended

Feature List:

SOC	Feature	Description	Effective	Expire	Deposit	IP Type
LTM1005	CD	Call Detail	09/12/2008	00/00/0000	<input type="checkbox"/>	
LTM1005	CLIP	Caller ID	09/12/2008	00/00/0000	<input type="checkbox"/>	
LTM1005	HLT	Domestic LD Rate \$0	09/12/2008	00/00/0000	<input type="checkbox"/>	
LTM1005	SHARE	Shared Cell Minutes No Tiers	09/12/2008	00/00/0000	<input type="checkbox"/>	
LTM1005	UTOLTM	Mobile To Mobile Minutes	09/12/2008	00/00/0000	<input type="checkbox"/>	
NWUNL7PM	OVER	Modified Nights and Weekends	09/12/2008	00/00/0000	<input type="checkbox"/>	
NWUNL7PM	UTOLTC	Cellular Minutes	09/12/2008	00/00/0000	<input type="checkbox"/>	
REQCDMA1	CEHA	America - Roaming Included	09/12/2008	00/00/0000	<input type="checkbox"/>	
REQCDMA1	PM	Picture Mail Service	09/12/2008	00/00/0000	<input type="checkbox"/>	
REQCDMA1	REQSOC	Required Features with Plan	09/12/2008	00/00/0000	<input type="checkbox"/>	
REQCDMA1	SMS	SMS Text Messages	09/12/2008	00/00/0000	<input type="checkbox"/>	
REQCDMA1	STDT	Long Distance While Roaming	09/12/2008	00/00/0000	<input type="checkbox"/>	
REQCDMA1	VDMAIL	Video Mail	09/12/2008	00/00/0000	<input type="checkbox"/>	
REQCDMA1	VMC2	Enhanced VoiceMail	09/12/2008	00/00/0000	<input type="checkbox"/>	

12/16/2009
BAN: 660591988

Page 2 of 2

Subscriber History

Feature List:

<u>SOC</u>	<u>Feature</u>	<u>Description</u>	<u>Effective</u>	<u>Expire</u>	<u>Deposit</u>	<u>IP Type</u>
TEP	GENTEP	Total Equip Protection Program	01/20/2009	00/00/0000	<input type="checkbox"/>	