

STATE of CALIFORNIA - COUNTY of SAN JOAQUIN RETURN TO SEARCH WARRANT

FILED
SUPERIOR COURT - TRACY

RECEIVED 13 AM 8:54

ROSA JUNQUEIRO, CLERK

Detective Ryan Knight, being sworn, says that he/she conducted a search pursuant to the Search Warrant described below:

Issuing Magistrate Judge Bernard Garber

Magistrate's Court : Superior Court of California, County of San Joaquin, Tracy Department

Date of Issuance : December 2nd, 2008

Date of Service : December 2nd, 2008

and searched the following location(s), vehicle(s), and person(s):

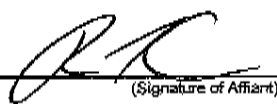
630 Tennis Ln
Tracy CA 95376

and Seized the Items*

- described in the attached and incorporated inventory.
- described below :

SEE ATTACHED PROPERTY REPORT

I further swear that this is a true and detailed account of all the property taken by me pursuant to the search warrant, and the pursuant to Penal Code Sections 1528 and 1536 this property will be retained in my custody, subject to the order of this court or of any other court in which the offense in respect to which the seized property is triable.


(Signature of Affiant)

Sworn to and Subscribed before me this ^{15TH} ~~14th~~ day of December, 2008, at 0850 (A.M.) P.M.


(Signature of Clerk)

Clerk of the Superior Court of California, County of San Joaquin, Tracy Department.

* List all items seized, including those not specifically listed on the Search Warrant

**TRACY POLICE DEPARTMENT
PROPERTY / EVIDENCE LISTING**

Case Number

08-11100-001

Date Occurred

12/01/2008



08-11100-001

Location Occurred

630 TENNIS LN TRACY

Incident Type207 (A) PC
KIDNAPPING

PROPERTY / EVIDENCE INFORMATION

ITEM #	CLASS.	ARTICLE	MAKE / MODEL	SERIAL NUMBER	FCN / C.G. FCN	COLOR	SIZE/CAL	BBL	DESCRIPTION
1222/07	E	MISC. ITEM	OCEAN CLUB			RED BLU			TOWEL LOCATED AT FOOT OF FIREPLACE IN FAMILY (W) ROOM OF (S) RESIDENCE
1222/08	E	SPORTS EQUIP.	EASTON			SIL			ALUMINUM BASEBALL BAT FOUND NEXT TO (SOUTHSIDE OF) FIREPLACE OF FAMILY (W) ROOM OF (S) RESIDENCE
1222/20	E	MISC. ITEM							40 X40 X19.5 METAL TABLE (TILES REMOVED) COLLECTED FROM FAMILY (W) ROOM OF (S) RESIDENCE. TABLE WAS LOCATED IN FRONT (EAST SIDE OF) FIREPLACE
1222/21	E	INDICIA							3 INDICIA ITEMS (FOR MICHAEL AND KELLY SCHUMACHER) LOCATED IN KITCHEN AREA OF (S) RESIDENCE.
1222/22	E	MISC. ITEM	SCOTCH 3M			BLU			2IN BLUE TAPE LOCATED ON THE KITCHEN COUNTERTOP AREA ON THE NORTH SIDE OF OF THE KITCHEN NEAR THE REFRIGERATOR
1222/23	E	DRUG	EQUALINE ALLERGY						BOX OF 24CT ALLERGY PILLS (BOX CONTAINS 20 PILLS) CONSISTING OF 25MG DIPHENHYDRAMINE HYDROCHLORIDE, LOCATED IN KITCHEN AREA OF (S) RESIDENCE
1222/24	E	DRUG	COMTrex MAXIMUM STRENGTH COLD & COUGH						BOX OF 16CT COLD PILLS (BOX CONTAINS 6 PILLS), LOCATED IN KITCHEN AREA OF (S) RESIDENCE
1222/25	E	DRUG	HEALTH A2Z IBUPROFEN						BOTTLE OF 250 CT 200MG IBUPROFEN PILLS (BOTTLE CONTAINS 19 PILLS), LOCATED IN KITCHEN AREA OF (S) RESIDENCE
1222/26	E	MISC. ITEM	FUJI FILM QUICKSNAP FLASH						35MM DISPOSABLE CAMERA (27 EXP) LOCATED IN A KITCHEN DRAWER LOCATED ON THE NORTH SIDE OF THE KITCHEN AREA NEAR THE REFRIGERATOR
1222/27	E	DRUG							20.3GGW SUSPECTED MARIJUANA FOUND INSIDE A CIGAR BOX, LOCATED ON TOP OF A HUTCH IN THE FAMILY (W) ROOM OF (S) RESIDENCE
1222/28	E	DRUG PARA.	PANTHERS			BLU			SMOKING PIPE WITH "PANTHERS" HELMET, LOCATED IN MASTER BEDROOM ON TOP OF TALL DRESSER ON EAST SIDE OF ROOM OF (S) RESIDENCE
1222/29	E	DRUG PARA.							BRASS COLORED METAL SMOKING PIPE WITH "PP" ENGRAVED, LOCATED ON NIGHTSTAND ON THE SOUTH SIDE OF MASTER BEDROOM OF (S) RESIDENCE
1222/30	E	DRUG							2.8GGW SUSPECTED MARIJUANA, LOCATED ON NIGHTSTAND ON THE SOUTH SIDE OF MASTER BEDROOM OF (S) RESIDENCE

**TRACY POLICE DEPARTMENT
PROPERTY / EVIDENCE LISTING**

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630 TENNIS LN TRACY

Incident Type207 (A) PC
KIDNAPPING

1222/31	E	TELEPHONE	MOTOROLA RAZOR	D54GEXZ949	4760833701815		CELL PHONE LOCATED IN THE MASTER BEDROOM AREA OF (S) RESIDENCE
1222/32	E	WALLET				BLK	WALLET CONTAINING PICTURES, AAA CARD (ISSUED TO KELLY LAU) LOCATED IN MASTER BEDROOM CLOSET AREA OF (S) RESIDENCE. 2 "MASTER" KEYS WERE LOCATED INSIDE WALLET
1222/33	E	KEYS	MASTER 3522				2 "MASTER" LOCK KEYS ENGRAVED WITH #3522, LOCATED IN ZIPPERED COMPARTMENT AREA OF ITEM 1222/32
1222/34	E	ELECTRONICS	SONY HANDYCAM	420712			DIGITAL CAMCORDER LOCATED ON DESK AREA IN UPSTAIRS SE ROOM OF (S) RESIDENCE
1222/35	E	ELECTRONICS	SANDISK SANSI	C200B0705063989	4760833701801	BLK	MP3 PLAYER WITH HEADPHONES LOCATED ON DESK AREA IN UPSTAIRS SE ROOM OF (S) RESIDENCE
1222/36	E	CAMERA EQUIP.	SONY CD MAVICA	367923	4760833701802	SIL	DIGITAL CAMERA LOCATED ON DESK IN UPSTAIRS SE ROOM OF (S) RESIDENCE
1222/37	E	ELECTRONICS	LEXAR				ADAPTER CHIP LOCATED ON THE BOTTOM SHELF OF THE DESK CABINET IN THE UPSTAIRS SE ROOM OF (S) RESIDENCE
1222/38	E	COMP. EQUIP.	NETGEAR WN111	1RF1823K02185	4760833701803		USB ADAPTER LOCATED ON THE BOTTOM SHELF OF THE DESK CABINET IN THE UPSTAIRS SE ROOM OF (S) RESIDENCE
1222/39	E	COMP. EQUIP.					9 DVD-R CASES (7 FULL, 2 EMPTY) LOCATED ON THE BOTTOM SHELF OF THE DESK CABINET IN THE UPSTAIRS SE ROOM OF (S) RESIDENCE
1222/40	E	COMP. EQUIP.					3 CD-RW DISCS, LOCATED ON THE BOTTOM SHELF OF THE DESK CABINET IN THE UPSTAIRS SE ROOM OF (S) RESIDENCE
1222/41	E	COMP. EQUIP.					2 CD-R DISCS, LOCATED ON THE BOTTOM SHELF OF THE UPSTAIRS SE ROOM OF (S) RESIDENCE
1222/42	E	MISC. ITEM					DISPOSABLE 35MM CAMERA, LOCATED ON TOP SHELF OF DESK CABINET IN UPSTAIRS SE ROOM OF (S) RESIDENCE
1222/43	E	MISC. ITEM	KODAK FUN SAVER				DISPOSABLE 35MM CAMERA, LOCATED ON THE TOP SHELF OF THE DESK CABINET IN THE UPSTAIRS SE ROOM OF (S) RESIDENCE
1222/44	E	COMP. EQUIP.					3 DVD-R CASES (1 FULL/2 EMPTY), LOCATED ON THE TOP SHELF OF THE DESK CABINET IN THE UPSTAIRS SE ROOM OF (S) RESIDENCE
1222/45	E	CAMERA EQUIP.	HANDYCAM				DISC HOLDER CONTAINING 4 DVD-R DISCS, LOCATED ON THE TOP SHELF OF THE DESK CABINET IN THE SE ROOM OF (S) RESIDENCE
1222/46	E	COMP. EQUIP.	HEWLETT PACKARD 514N	CN252A1147	4760833701808		CPU COLLECTED FROM THE DESK IN THE UPSTAIRS SE ROOM OF (S) RESIDENCE

TRACY POLICE DEPARTMENT
PROPERTY / EVIDENCE LISTING

Case Number

08-11100-001

Date Occurred

12/01/2008



08-11100-001

Location Occurred

630 TENNIS LN TRACY

Incident Type

207 (A) PC
KIDNAPPING

1222/47 E PAPERS

NOTE CONTAINING "TIA'S" CHRISTMAS
LIST, LOCATED IN THE FAMILY (W) ROOM
OF (S) RESIDENCE

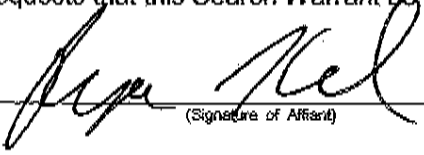
SW NO. TSW 579

STATE of CALIFORNIA, COUNTY of San Joaquin, SEARCH WARRANT and AFFIDAVIT (AFFIDAVIT)

FILED
SUPERIOR COURT - TRACY

08 DEC 15 AM 8:54

Peace Officer / Detective Ryan Knight swears under oath that the facts expressed by him/her in the attached and incorporated **Statement of Probable Cause** are true and that based thereon he/she ~~has~~ **believes** to believe and does believe that the articles, property, and persons described below are lawfully seizable pursuant to Penal Code Section 1524 and/or 1524.2, as indicated below, and are now located at the locations set forth below. Wherefore, Affiant requests that this Search Warrant be issued.


(Signature of Affiant)

HOBBS SEALING REQUESTED: YES NO
NIGHT SEARCH REQUESTED: YES NO

(SEARCH WARRANT)

THE PEOPLE OF THE STATE OF CALIFORNIA TO ANY SHERIFF, POLICE OR PEACE OFFICER IN THE COUNTY OF San Joaquin: proof by affidavit, under penalty of perjury, having been made before me by Detective Ryan Knight that there is probable cause to believe that the property or person described herein may be found at the location(s) set forth herein and that it is lawfully seizable pursuant to Penal Code Section 1524 and/or 1524.2, as indicated below by "" (s), in that:

- it was stolen or embezzled;
- it was used as the means of committing a felony;
- it is possessed by a person with the intent to use it as means of committing a public offense or is possessed by another to whom he or she may have delivered it for the purpose of concealing it or preventing its discovery;
- it tends to show that a felony has been committed or that a particular person has committed a felony;
- it tends to show that sexual exploitation of a child, in violation of Penal Code Section 311.3, or possession of matter depicting sexual conduct of a person under the age of 18 years, in violation of Section 311.11, has occurred or is occurring;
- there is a warrant to arrest the person;
- a provider of electronic communication service or remote computing service has records of evidence, as specified in Penal Code Section 1524.3, showing that property was stolen or embezzled constituting a misdemeanor, or that property or things are in possession of any person with intent to use them as a means of committing a misdemeanor public offense, or in the possession of another to whom he or she may have delivered them for the purpose of concealing them or preventing their discovery;

You are Therefore **COMMANDED** to **SEARCH**: (premises, vehicles, persons)

630 TENNIS LN
TRACY, CA 95376

Further described as a two story tan house with brown trim, located on the south side of Tennis Ln. The numbers "630" are affixed to the house on the front of the house just left of the front door, which faces north. The two car garage also faces north. The front door of the home is set back slightly from the garage to the left.

This includes attics, storage spaces, the surrounding grounds and all containers therein and thereon found to be under the control of the occupants of **630 TENNIS LN in Tracy, CA** which could contain any of the items sought.

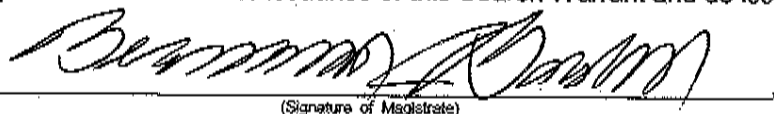
Any vehicles, if any, belonging to or used by residents of this house as evidenced by keys found in the house. This includes any vehicles of the premises to be searched at the time the warrant is served as evidenced by DMV documents, possession of keys or actual use of the vehicle or statements of witnesses. This includes all containers thereon which could contain any of the items sought.

For the FOLLOWING PROPERTY or PERSON(s):

Peace Officers or assigned representatives are authorized, during the execution of this Search Warrant, to video tape, photograph, and/or take digital images of the scene and surrounding area(s), take measurements and make sketches of the scene and adjacent areas; and to seize weapons, bludgeons, and guns; suspected blood and other physiological fluids; hair and fibers; fingerprints, footprints, and other impressions left at the **crime** scene; any and all instruments used to aid and abet in the commission of **child abuse or torture**, clothing of the suspects(s) and/or victims(s); photos and film, developed and undeveloped.

All electronic data processing and storage devices, computers and computer systems, such as central processing units, internal and peripheral storage devices such as fixed disks; internal and external hard drives, floppy disk drives and diskettes, tape drives and tapes, optical storage devices, dongles, encryption keys, personal data assistants (PDA's) or other memory storage devices.

AND TO SEIZE IT / THEM IF FOUND and bring it / them forthwith before me, or this court, at the courthouse of this court. This **Search Warrant** and **Affidavit** and attached and incorporated **Statement of Probable Cause** were sworn to as true and subscribed before me on this **1st** day of **December, 2008**, at 12:06 A.M. / P.M. Wherefore, I find probable cause for the issuance of this Search Warrant and do issue it.


(Signature of Magistrate)

HOBBS SEALING APPROVED: YES NO
NIGHT SEARCH APPROVED: YES NO

Judge of the Superior Court of California, County of San Joaquin, Tracy Branch.

Bernard Garber
(Magistrate's Printed Name)

STATE of CALIFORNIA, COUNTY of San Joaquin,
 ATTACHED and INCORPORATED FILED
 SUPERIOR COURT - TRACY
STATEMENT OF PROBABLE CAUSE
 00 DEC 15 AM 8:54

Affiant declares under penalty of perjury that the following facts are true and accurate. I speak the truth, believe, and Affiant does believe, that the designated articles, property, and persons are now in the described locations, including all rooms, buildings, and structures used in connection with the premises and buildings adjoining them, the vehicles and the persons:

Your Affiant, **Ryan D. Knight**, declares that I am a sworn Peace Officer and currently assigned to the Investigations Division as a Detective. I am currently assigned to investigate crimes against persons. I have been employed as a Police Officer for the City Of Tracy since July of 2001.

During my career, I have had the opportunity to work as a Patrol Officer and as a General Investigations Detective. In these assignments, I was afforded the opportunity to investigate cases involving violent crimes against persons, narcotics and controlled substances, many forms of larceny, and other state and federal statutes.

As it relates to criminal investigations, I have received the following training:

1020 hours of academy training at the Alameda County Regional Training Facility, which covered no less than (200) hours of homicide, sexual assault, child abuse, sexual exploitation of children, domestic violence, and property crimes investigations.

In the year 2003, I attended a course of instruction in interview and interrogation techniques for a total of (40) hours of instruction. The Behavior Analysis Training Institute presented this course.

In the year 2005, I attended a course of instruction in criminal investigations for a total of (80) hours of instruction. The Institute of Criminal Investigation presented this course.

In the year 2006, I attended a course of instruction in sexual assault investigations for a total of (40) hours of instruction. The Institute of Criminal Investigation presented this course.

In the year 2006, I attended a course of instruction in homicide investigations for a total of (80) hours of instruction. The Institute of Criminal Investigation presented this course.

In the year 2008, I attended a course of instruction in robbery investigations for a total of (40) hours of instruction. The Institute of Criminal Investigation presented this course.

Throughout my career, I have been the lead investigator in at least one hundred fifty (150) cases of violent crimes against persons and have assisted in no less than two hundred fifty (250) cases involving the aforementioned crime. During my tenure as a Police Officer and a Detective, I have received in-service training

on crimes against persons and property crimes. In addition, I have spoken with Detectives and senior officers who had many years of experience in investigating violent crimes against persons and property crimes. I have consulted with Crime Scene Technicians and Department of Justice Laboratory Technicians on the common types of evidence collected while investigating these crimes and the proper methods of collecting that evidence.

I have interviewed and interrogated suspects involved in the aforementioned crimes and obtained confessions. Through these confessions and interviews, I have learned some of their methods of operation.

NARRATIVE: On 120108, approximately 1600 hrs, I responded to STCH to assist with a child abuse investigation.

Approximately 1530 hrs, Tracy PD officers responded to a call of suspicious circumstances at In Shape Health Club at 101 N. Tracy Blvd. A 16 year old male, later determined to be (V) ██████████ contacted employees from the Health Club and requested help. He was bleeding and had a chain attached to his ankle. He appeared afraid and thought someone was going to get him. Due to apparent health problems, AMR transported Ramirez to STCH.

After further investigation it was learned that witnesses saw ██████████ jumping over a wall on the north side of In Shape Health Club towards the club. The wall separates the club from a housing track just to the north. At that time it was unknown where ██████████ came from.

I arrived at STCH and met with Ofc. Orvick who had already interviewed (V) ██████████. I had earlier learned that ██████████ was reported as a runaway from a group home in Sacramento in May of 2007.

Ofc. Orvick told me ██████████ stated he currently didn't know where he was or what city he was in. He stated that shortly after he had ran away, he was walking down the highway when he was kidnapped by two unknown suspects. He said both were male and possibly had Spanish speaking accents. ██████████ said he couldn't provide any further information regarding the suspects.

After he was kidnapped he was taken to an unknown residence. While at the residence he wasn't allowed to leave and was frequently chained to fixed objects at the residence. It should be noted when ██████████ arrived at STCH he had a chain secured around his ankle and it appeared to have been there for a long period of time. His ankle had numerous sores and indentations that appeared to be from the chain around his ankle for long periods of time.

██████████ stated he was never free to leave and was always chained up. He said he was sometimes chained to the fireplace grate and sometimes to a table. He said that sometimes he would be chained to a fixed object inside of a white SUV when they would leave the residence. ██████████ was sure the suspects who held him captive owned a white SUV (unknown make or model).

██████████ said that he was often hit in the head with a baseball bat. He was also cut with a knife and strangled with a belt until he went unconscious. He said he was rarely given any food, and would only be given small

amounts of food once in a while. He said that while he was chained to the fireplace, he had his arm in the fireplace when one of the suspects turned the fireplace on. [REDACTED] said he sustained a burn on his arm from the fireplace. He also added that he would often be forced to sleep inside the fireplace and spent a large amount of time there.

Upon further examination [REDACTED] appeared to have sustained numerous injuries. He appeared extremely malnourished and under weight for a person his age (16 years old). He had numerous sores and was covered with soot, which seemed to support his earlier statement about being forced to spend time in the fireplace. He also had what appeared to be severe burns on a large part of his left arm.

[REDACTED] said that earlier in the day he was chained inside the vehicle as the suspects drove him around. He located a key that unlocked the lock he was chained up with. When the vehicle came to an unknown stoplight, he was able to free himself and get out of the vehicle to escape.

Tracy PD officers continued to follow up leads near the In Shape Health Club of possible locations where [REDACTED] came from. They located a white Ford Excursion (SUV) [REDACTED] in the driveway of 630 Tennis Ln. It should be noted that the backyard of 630 Tennis Ln backs up to the north parking lot of In Shape Health Club. Due to the location of the residence in relationship to the health club, as well as the white SUV in the driveway, officers made contact at 630 Tennis Ln. They spoke with (S) Kelly Lau, who reported she was a resident.

At that same time other Tracy PD officers contacted a neighbor at [REDACTED] Tennis Ln who described seeing a male and female adult couple who lived at 630 Tennis Ln. The neighbor described seeing a teenage male who appeared to live at the residence at 630 Tennis Ln. The neighbor said it didn't appear the teenage boy was treated very well. Due to the above circumstances it appeared probable 630 Tennis Ln was the location Ramirez had escaped from.

Officers conducted a protective sweep inside 630 Tennis Ln in order to locate other possible suspects. During the protective sweep officers noticed a blanket inside the fireplace.

I learned this information while in the ER of STCH. I used a Tracy PD digital camera and took a photograph of [REDACTED] in order to show it to the neighbor who reported seeing a teenage boy living at the residence. I then responded to [REDACTED] Tennis Ln and showed the digital photograph of [REDACTED] (W) [REDACTED] and (W) [REDACTED] (residents at [REDACTED] Tennis Ln). [REDACTED] and [REDACTED] viewed the photograph while it was still on the digital camera, and they both identified [REDACTED] as the teenage boy they had seen [REDACTED]

Based upon your Affiant's training, experience and conversations that your Affiant had with other Law Enforcement Officers and/or reports that your Affiant has read, your Affiant requests to have the scene and surrounding area(s) photographed, video taped and/or digital imaged; take measurements and make sketches of the scene and adjacent areas; seize weapons, knives, bludgeons, guns, ropes, or other restraining devices; suspected blood and other physiological fluids; hair and fibers; clothing of the victim; photos and film, developed and undeveloped; written material and correspondence containing names, addresses, and phone numbers, of victim(s) and possible suspect(s) and witnesses; written material containing statements showing ill

feelings, threats, and other possible motives between victim(s) and possible suspect(s); written material showing ownership or occupancy of building, structure, residence, room, or vehicle; cloth material such as, but not limited to, sheets, blankets, pillow cases, cushions, seat covers, etc.; objects or portions thereof having suspected damage.

Your affiant also knows that computer and computer systems commonly consist of electronic data processing and storage devices, with central processing units, internal and peripheral storage devices such as fixed disks, external hard disks, floppy disk drives and diskettes, tape drives and tapes, optical storage devices, dongles or encryption keys, personal data assistants (PDA's) or other memory storage devices.

Your Affiant requests any records, whether stored on paper, on magnetic media such as tape, cassette, disk, diskette or on memory storage devices such as optical disks, programmable instruments such as telephones, "electronic calendar/address books" calculators, or any other storage media, together with indicia of use, ownership, possession, or control of such records.

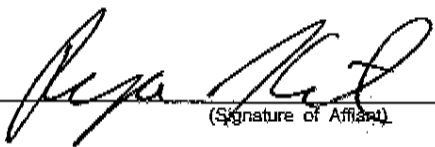
Due to the fact this investigation has gone beyond 10:00 P.M., your affiant requests night service.

I pray that a Search Warrant be issued based upon the aforementioned facts, for the seizure of said property, good cause being shown thereof, and the same be brought before this Magistrate or retained subject to the order of the court, or of any court in which the offense(s) in respect to which the property of things taken, triable, pursuant to Section 1536 of the Penal Code,

Items attached and incorporated by Reference: YES NO

I certify (declare) under penalty of perjury that the foregoing is true and correct.

Executed at Tracy, California

 ^{2ND} day of December, 2008, at 0005 A.M. P.M.
(Signature of Affiant)

YOUR AFFIANT REQUESTS NIGHT SERVICE AS THIS INVESTIGATION HAS BEEN ONGOING SINCE APPROXIMATELY 1630 HRS. TRACY PD OFFICERS HAVE CONTROLLED THE CRIME SCENE SINCE APPROXIMATELY 1700 HRS. WE ALSO REQUEST NIGHT SERVICE TO PRESERVE EVIDENCE WITHOUT DELAY.

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sum in mm parent
removal from relief

Handwritten initials: RT

It is hereby ordered this entire search warrant and statement of probable cause / affidavit be sealed because disclosure could irretrievably harm the ongoing criminal investigation. In accordance with California Rules of Court Rule 243.1(d), this court finds:

- There exists an overriding interest that overcomes the right of public access to the record;
- The overriding interest supports the sealed record;
- A substantial probability exists that the overriding interest will be prejudiced if the record is not sealed;
- The proposed sealing order is narrowly tailored;
- No less restrictive means exists to achieve the overriding interest.

[Handwritten Signature] 12-15-08

 SIGNATURE OF AFFEANT

It is so ordered

[Handwritten Signature]

 12-15-08