

EXHIBIT M

AFFIDAVIT FOR SEARCH WARRANT

State of Michigan

ss :

County of Houghton

Report Number: 2257-15

Deputy Chief Brian Cadwell, affiant state that:

1. The person, place, or thing to be searched The is described as and is located at:

238 Quincy Street, Apartment 9, Hancock, Michigan and the Iphone 5 possessed by the Defendant currently at the Houghton County Jail, 403 E Houghton Avenue, Houghton, Michigan .

2. The PROPERTY/PERSON to be searched for and seized, if found, is specifically described as:

1. Any and all internet communication device(s) and storage medium(s) of all makes and kinds that are computer or internet compatible and all their peripherals and attachments, whatever their function; this includes computers, laptops, phones, pads, gaming devices and all similarly internet compatible devices;
2. This warrant to also specifically include the files within those devices, including but not limited to electronic or magnetic data files.
3. Any passwords or password files necessary to gain access to the files, software, or applications described above;
4. Copies of internet web pages stored in the computer's memory which relate to activity described.
5. Trace evidence of any of the above types of data files which may remain on the internal memory of any computer or digital camera, or on removable storage media, after files have been deleted.
6. Computers, including personal computers, computer systems, central processing units, and computer peripheral devices, any electronic, magnetic, optical, electrochemical, or other high speed data processing and storage devices performing logical, arithmetic, or storage functions; data storage facilities (internal and/or peripheral) or media storage devices such as magnetic tape, hard drives, floppy disks, CD-ROM or scanner;
7. Data stored within computers or other processing and storage devices, to include computer applications, images, text, programs, encryption routines and algorithms, or other data that may be decoded, reconstituted, or otherwise manipulated to produce, utilize, transmit, receive, encrypt, encode, or display such images, text, programs, encryption routines, and algorithms;

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8. Electronic communications stored within computers or other processing and storage devices as e-mail. Such information and/or communications that may be in the form of electronic communications (such as e-mail) residing on any media (e.g., magnetic, optical or digital media). That information may include electronic communications held or maintained in electronic storage by an electronic communication service or remote computing service, as those services are defined within 18 U.S.C. 2703. These communications are referred to herein as "stored communications". These communications related to this case stored in the suspect's computer or other electronic devices as e-mail. That federal law, which is part of the Electronic Communications Privacy Act, allows interception of such electronic communication pursuant to a search warrant.
9. Any evidence of searches or information related to violence, terroristic methods or preparations for such activities or files related to identifying targets of such activity.
10. Any and all weapons, including firearms and/or components, which can be used to assemble weapons.
11. Any and all information related to racial prejudice, hate or race based information

3. THE FACTS establishing probable cause or the grounds for search are:

On 11-12-15, at approximately 1400 hours, the Michigan Technological University (MTU) Department of Public Safety and Police Services (DPSPS), received a report of a threatening message that was posted through a social media application identified as "YikYak". YikYak is best described as a software application that allows users to post anonymous messages to other users that are located within a specific geographical area.

The message that was reported to DPSPS stated the following, "Gonna shoot all black people....A smile tomorrow." The message also had a small picture, commonly referred to as an "emoji", at the end which indicated a smile or laughter. A copy of the message, identified as Attachment #1, is attached and is incorporated by reference as if fully set forth herein.

Due to the fact that the message was threatening in nature, Deputy Chief Cadwell investigated the message further. Upon reviewing the message Deputy Chief Cadwell saw that the user who posted the comment was located somewhere in the Houghton, Michigan area when they posted. This was determined by the "Houghton" place marker that was associated with the comment. It was also determined that such place markers are associated with all comments made of YikYak so as to identify where a user posts from. It was also determined that the message was posted as approximate 1344 hours, as indicated by the time since the comment was posted on the bottom left of the message.

Due to the fact that the previously mentioned message threatened violence, the message identified a specific group of people on which the violence was to be enacted, the user was

located within the Houghton, Michigan area, and it indicated the user would be smiling "tomorrow", it was determined the threat was immediate.

That a search warrant was authorized to obtain information from YikYak to identify the individual posting the comment.

That information was received pursuant to a search warrant that identified the phone number and location that the post came from.

That the information identified the phone number used to make the post as belonging to Matthew Allen Schultz, who resides in the apartment to be searched.

That That subsequently Matthew Allen Schultz admitted making the post but denied malicious intent.

That the property to be searched may yield information regarding the intent of Matthew Allen Schultz including but not limited to the presence of firearms, preparation for action.

This affidavit consists of 3 pages.

BQJ
Affiant

Review on 11-13-15

By [Signature]
Michael E. Makinen P26666
Prosecuting Attorney

Subscribed and sworn to before me 11/13/15
97th District Court:

[Signature]
Judge/Magistrate

SEARCH WARRANT

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County of Houghton

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10. Any and all weapons, including firearms and/or components, which can be used to assemble weapons.
11. Any and all information related to racial prejudice, hate or race based information

IN THE NAME OF THE PEOPLE OF THE STATE OF MICHIGAN: I have found that probable cause exists and you are commanded to make the search and seize the described property/person. Leave a copy of this warrant and a tabulation (a written inventory) of all property taken with the person from whom the property was taken or at the premises. You are further commanded to promptly return this warrant and tabulation to the court.

Issued: 11/13/15
Date

V. Khan
Judge/Magistrate