

FILED

STATE OF CALIFORNIA - COUNTY OF SANTA CLARA, SW NO. 08W45055

DEC 05 2013

DAVID I. YAMASAKI
Chief Executive Officer, Clerk
Superior Court of CA County of Santa Clara

RETURN TO SEARCH WARRANT

BY _____ DEPUTY

Russell Chubon, being sworn, says that he conducted a search pursuant to the below described search warrant:
[Affiant]

Issuing magistrate: Andrea Flint
[print name]
Superior Court, County of Santa Clara

Date of Issuance: November 26, 2013
Date of Service: November 27, 2013

and searched the following location(s):

2609 Apollo Drive
San Jose, CA 95121

and seized the items*:

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

- 1F1 Misc documents from mesh drawer
- 2F1 Fry's Electronic's receipt from drawer
- 3F1 Public Storage receipt from crate
- 4F1 HP laptop model G72 with serial# 4CZ0360LTH
- 1I1 HP brand laptop model DV7T-6B00 with serial# 2CE1482V3Y
- 2I1 HP Officejet 7310 (printer) with serial# MY516J81GY
- 1H1 Dell OptiPlex GX260 (tower) with serial# 97VHY11
- 2H1 HP Photosmart 7350 (printer) with serial# MY27C41076
- 1N1 Misc documents from garage assoc to KS
- 1O1 2008 campaign documents from shed
- 2O1 Misc political flyers from shed
- 3O1 Misc political flyers from shed
- 4O1 Misc campaign documents

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

[Signature]
[Signature of Affiant]

Sworn to and subscribed before me this 5 day of December, 2013.

[Signature]
Linda R. Clark
Judge of the Superior Court, County of Santa Clara



*List all items seized, including those not listed on the return to search warrant.

FILED

STATE OF CALIFORNIA - COUNTY OF SANTA CLARA, SW NO. CSW 45055

DEC 05 2013

DAVID H. YAMADA
Chief Executive Officer/Clerk
Superior Court of CA County of Santa Clara

SEARCH WARRANT

BY THE PEOPLE OF THE STATE OF CALIFORNIA TO ANY PEACE OFFICER IN THE COUNTY OF SANTA CLARA

Proof by affidavit and under penalty of perjury having been sworn to this day before me by **Santa Clara County District Attorney Investigator Russell Chubon** that there is probable cause for believing that the property and/or person described below may be found at the location(s) set forth below and is lawfully seizable pursuant to Penal Code Section § 1524 as indicated below by "x"(s) in that it:

- was stolen or embezzled;
- was used as the means of committing a felony;
- 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;
- tends to show that a felony has been committed or that a particular person has committed a felony;
- 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 or evidence, as specified in California Penal Code §1524.3, showing that property was stolen or embezzled constituting a misdemeanor, or that property or things are in the possession of any person with the 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:

The premises located at **2609 APOLLO DRIVE, SAN JOSE, SANTA CLARA COUNTY, CALIFORNIA** is a single story residence, with tan colored stucco exterior, white colored trim/fascia, a comp roof, white colored garage door, the number "2609" is affixed to the front of the structure near the entrance and it is on the western side of Apollo Drive between Apollo Court and Gassmann Drive;

AND any and all yards, garages, carports, outbuildings, storage areas, and sheds assigned to the above described premises;

FOR THE FOLLOWING PROPERTY/PERSON:

1. All documents, whether in physical paper form or electronically retained on a computer or computer storage media manufactured prior to 2011, relating to the 2010 primary and general elections for the San Jose District 5 seat on the San Jose City Council, including, but not limited to, emails, letters, political flyers, campaign committee records, campaign bank statements, voter data lists, and ballot materials;
2. All documents, whether in physical paper form or electronically retained on a computer or computer storage media manufactured prior to 2011, relating to the 2008 primary and general elections for the Santa Clara County District 2 seat on the Santa Clara County Board of Supervisors, including, but not limited to, emails, letters, political flyers, campaign committee records, campaign bank statements, voter data lists, and ballot materials;
3. All mailers or flyers, political or not, whether in physical paper form or electronically retained on a computer or computer storage media manufactured prior to 2011, that do not appear to have been professionally made;
4. All images of the flag of Vietnam, Richard Hobbs, or Magdalena Carrasco, whether in physical paper form or electronically stored on a computer or computer storage media manufactured prior to 2011;

5. All documents, whether in physical paper form or electronically retained on a computer or computer storage media manufactured prior to 2011, relating to the business KS Cartridges;
6. All printers that use the following ink cartridges: (1) HP 56/57 Black and Tri-color Ink Cartridges (C9321BN), Combo; and (2) Office Depot® Brand OD296 (HP 96) Remanufactured Black Ink Cartridge (all other printers may be photographed but not seized);
7. Indicia or photographs of indicia, whether in physical paper form or electronically stored on a computer or computer storage media manufactured prior to 2011, showing ownership of any other item seized or photographed.

AND if you find the same or any part thereof, **TO SEIZE AND HOLD SUCH PROPERTY** in your possession pursuant to California Penal Code Section 1536.

DISPOSITION OF PROPERTY

At the conclusion of the case, with the prosecutor's approval, seized non-contraband property may be returned to the owner without further order of the Court. Six months after the first reasonable efforts to notify the owner and return the property, any remaining property may be sold for the benefit of the county treasury or destroyed without further court order. When the described property is not seized, but is instead photographed or otherwise duplicated, the photographs or duplicates may be destroyed at the conclusion of the case, with the prosecutor's approval, without further court order.

AUTHORITY TO CONDUCT SUBSEQUENT FORENSIC SEARCH

With respect to any computer devices or things related to the operation of such devices found during the execution of this search warrant, such are to be removed to the Santa Clara County Crime Laboratory or other appropriate and secure law enforcement forensic computer examination facility where the search of the contents will be conducted. The Court additionally orders that this search may continue beyond ten days from the date of this warrant to the extent reasonably necessary to complete the search.

The attached affidavit was sworn to as true before me this 26th day of November 2013, at 4:20 A.M. (P.M.)
Based thereon, I find probable cause for the issuance of this Search Warrant and do issue it.

HOBBS SEALING APPROVED: YES [] NO [X]
 FORENSIC SEARCH APPROVED: YES [] NO [X]

Andrea E. Flint

Judge of the Superior Court, County of Santa Clara

Andrea E. Flint



FILED

STATE OF CALIFORNIA - COUNTY OF SANTA CLARA, SW NO. CSW 15055

DEC 05 2013

AFFIDAVIT

DAVID H. YAMASAKI

Chief Executive Officer/Clerk
Superior Court of CA County of Santa Clara

~~Santa Clara County District Attorney~~

Investigator Russell Chubon swears under penalty of perjury that the facts expressed by him in the attached and incorporated **STATEMENT OF PROBABLE CAUSE** are true and that based thereon he has probable cause for believing and does believe that the **PROPERTY TO BE SEIZED**, described below, is lawfully seizable pursuant to Penal Code Section § 1524, in that:

- was stolen or embezzled;
- was used as the means of committing a felony;
- 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;
- tends to show that a felony has been committed or that a particular person has committed a felony;
- 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 or evidence, as specified in California Penal Code §1524.3, showing that property was stolen or embezzled constituting a misdemeanor, or that property or things are in the possession of any person with the 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.

and that it is now located at

THE FOLLOWING PREMISES AND LOCATIONS:

The premises located at **2609 APOLLO DRIVE, SAN JOSE, SANTA CLARA COUNTY, CALIFORNIA** is a single story residence, with tan colored stucco exterior, white colored trim/fascia, a comp roof, white colored garage door, the number "2609" is affixed to the front of the structure near the entrance and it is on the western side of Apollo Drive between Apollo Court and Gassmann Drive;

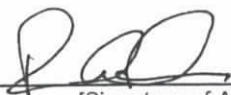
AND any and all yards, garages, carports, outbuildings, storage areas, and sheds assigned to the above described premises;

FOR THE FOLLOWING PROPERTY:

1. All documents, whether in physical paper form or electronically retained on a computer or computer storage media manufactured prior to 2011, relating to the 2010 primary and general elections for the San Jose District 5 seat on the San Jose City Council, including, but not limited to, emails, letters, political flyers, campaign committee records, campaign bank statements, voter data lists, and ballot materials;
2. All documents, whether in physical paper form or electronically retained on a computer or computer storage media manufactured prior to 2011, relating to the 2008 primary and general elections for the Santa Clara County District 2 seat on the Santa Clara County Board of Supervisors, including, but not limited to, emails, letters, political flyers, campaign committee records, campaign bank statements, voter data lists, and ballot materials;
3. All mailers or flyers, political or not, whether in physical paper form or electronically retained on a computer or computer storage media manufactured prior to 2011, that do not appear to have been professionally made;
4. All images of the flag of Vietnam, Richard Hobbs, or Magdalena Carrasco, whether in physical paper form or electronically stored on a computer or computer storage media manufactured prior to 2011;
5. All documents, whether in physical paper form or electronically retained on a computer or computer storage media manufactured prior to 2011, relating to the business KS Cartridges;

6. All printers that use the following ink cartridges: (1) HP 56/57 Black and Tri-color Ink Cartridges (C9321BN), Combo; and (2) Office Depot® Brand OD296 (HP 96) Remanufactured Black Ink Cartridge (all other printers may be photographed but not seized);
7. Indicia or photographs of indicia, whether in physical paper form or electronically stored on a computer or computer storage media manufactured prior to 2011, showing ownership of any other item seized or photographed.

Wherefore, he requests that this Search Warrant be issued.



[Signature of Affiant]

SEALING REQUESTED: YES [] NO [X]
NIGHT SEARCH REQUESTED: YES [] NO [X]

STATEMENT OF PROBABLE CAUSE

OFFICER EXPERTISE

I, Russell Chubon, am a peace officer employed by the Santa Clara County District Attorney's Office as a criminal investigator since December 2012. As a criminal investigator for the Public Integrity Unit within the Bureau of Investigation I am responsible for conducting investigations of suspect violations of California statutes involving public corruption. Prior to my employment with the District Attorney's Office I was a sworn peace officer since 1995 employed as a police officer for the City of Santa Cruz from 1995 to 2000 and the City of San Jose from 2000 to 2012. In addition to working as a patrol officer my experience includes instructing at the South Bay Regional Public Safety Training Consortium, assignment as a Field Training Officer at the Santa Cruz Police Department, as a detective in the Sexual Assault Investigation Unit at the San Jose Police Department, and as a detective in the Child Exploitation Detail/Internet Crimes Against Children Task Force. During my law enforcement experience I have investigated hundreds of criminal offenses, including homicides, sexual offenses, assaults, robberies, thefts, burglaries, fraud, and narcotics violations. I have attended formal and informal training in the investigation of such criminal activity which include the police academy, in-house seminars, and specialized courses. I have been the affiant of more than 200 search warrants and participated in their execution.

CURRENT INVESTIGATION

I have been conducting follow up investigation related to the recent indictment of GEORGE SHIRAKAWA for a violation of Penal Code section 529 for impersonating a political campaign committee by creating and distributing offensive political flyers in the name of the committee without permission. The following facts are based on my review of the interviews and evidence gathered by other investigators of the Santa Clara County District Attorney's Office Bureau of Investigations ("Bureau"), portions of the transcript of grand jury proceedings held in October 2013, and my personal knowledge and research of reliable authorities.

On May 17, 2010, a San Jose City Clerk's Office employee notified the Santa Clara County District Attorney's Office that a fraudulent flyer had been mailed to voters in San Jose City Council District 5. The flyer, which is attached as "EXHIBIT A", reads "Magdalena Carrasco for San Jose City Council, District 5" and displays a photograph of Carrasco next to a photograph of the official flag of Vietnam, which has a large gold star centered on a red field. Originally the flag of North Vietnam, this flag was adopted as the flag of the unified Socialist Republic of Vietnam at the end of the Vietnam War. Consequently, the flag is considered very offensive to many members of San Jose's Vietnamese American community, particularly to those who fled to this country to escape the communist regime.

The flyer names Carrasco's true campaign committee, "Neighbors for Magdalena Carrasco for Council 2010," as its sponsor, both in the return address and in the small-print disclaimer at the bottom of the flyer. The flyer also lists the Carrasco committee's true FPPC number (1324822).

When interviewed by Bureau investigators, Carrasco confirmed that the flyer listed the true name and FPPC number of her campaign committee. She said that the photograph of her, but not the flag, on the flyer was taken from her campaign website. However, she denied that she or anyone from her campaign had authorized the flyer, and said that she did not condone or support its content.

Carrasco went on to tell investigators that she had no knowledge of the flyer until a citizen telephoned her after receiving it in the mail. The caller, who was Vietnamese, politely explained "how very, very

bad" this flyer was to the Vietnamese community. Carrasco said she later learned that many other members of San Jose's Vietnamese community were concerned and upset when they received copies of the flyer. It was Carrasco's opinion that one of her political opponents, or one of their supporters, was the likely source of these fraudulent flyers.

A few weeks after the flyers were distributed, Carrasco missed first place in the primary election by 20 votes, earning her way to the runoff election, but losing the marketing advantages of winning the most votes at the primary. Carrasco ultimately lost the runoff election to Xavier Campos by less than 400 votes.

By August 2010, investigators were unable to identify a suspect even after interviewing more than a dozen potential witnesses, including all of the candidates for the District 5 seat. Although several fingerprints were identified on the flyers, no match was found. Likewise, a DNA sample obtained from a postage stamp (later referenced as "Item 1" in the lab reports) on a flyer was determined to be from a male, but its DNA profile did not match the DNA profile of any submitted DNA sample. This postage stamp DNA profile was subsequently uploaded to various centralized DNA databases, including CAL-DNA and CODIS, but no matching profile was found at that time. By the end of 2010, the Bureau was unable to identify anyone who was responsible for the flyers.

More than two years later, on March 1, 2013, the District Attorney's Office filed a criminal complaint charging GEORGE SHIRAKAWA with four counts of perjury (for filing false disclosure forms), one count of misappropriating public funds (for misusing a county credit card), and seven misdemeanor counts relating to the failure to file required disclosure forms (Santa Clara County Superior Court docket no. C1231203). Shortly thereafter, GEORGE SHIRAKAWA resigned from the Santa Clara County Board of Supervisors and surrendered to the Sheriff's Office on the arrest warrant. During the booking process, a DNA sample was collected from GEORGE SHIRAKAWA and submitted to the California Department of Justice, Division of Law Enforcement, Bureau of Forensic Services for analysis and inclusion in the state (CAL-DNA), national (NDIS), and combined (CODIS) DNA databases. GEORGE SHIRAKAWA eventually pleaded guilty to all counts and is currently serving one-year county jail sentence in an Alameda County jail facility.

By letter dated April 22, 2013, the California Department of Justice notified the Santa Clara County Crime Laboratory ("Crime Laboratory") that the DNA profile from the postage stamp sample (Item 1) had been "submitted for search against the CAL-DNA Data Bank and resulted in a candidate match to an individual profile . . . associated with . . . GEORGE MICHAEL SHIRAKAWA . . ." The letter warned that the match is only an "investigative lead" and that "[a] new evidentiary reference sample from GEORGE MICHAEL SHIRAKAWA should be obtained and analyzed by your laboratory."

GEORGE SHIRAKAWA was never interviewed during the 2010 investigation of the fraudulent flyers and was therefore never asked to provide a DNA sample. In retrospect, however, there may have been reason to suspect him, because:

- (1) One of GEORGE SHIRAKAWA's county employed staff members, Xavier Campos, was one of Carrasco's political opponents in the 2010 San Jose City Council primary race; and
- (2) a very similar fraudulent flyer attacking a political opponent of GEORGE SHIRAKAWA was distributed to voters just prior to the 2008 Board of Supervisors election, which GEORGE SHIRAKAWA ultimately won.

In 2008, Richard Hobbs was a candidate for election to the County Board of Supervisors. His opponent was GEORGE SHIRAKAWA. One week before the 2008 election, according to Hobbs, members of the

county's Vietnamese community complained to Hobbs' office about a disturbing political flyer they had received in the mail. The 2008 flyer, which is attached as "EXHIBIT B", displays a photograph of Hobbs near a photograph of the flag of Vietnam, similar to the fraudulent 2010 Carrasco flyer. The 2008 Hobbs flyer includes a paragraph in Vietnamese that does not appear on the 2010 Carrasco flyer, but otherwise the two flyers convey the same message using similar images. The 2008 Hobbs flyer, unlike the 2010 Carrasco flyer, does not name Hobbs' campaign committee or FPPC number as the source of the flyer. Instead, the 2008 Hobbs flyer lists a non-existent committee in the disclaimer and return address. Thus, although the 2008 flyer did not unlawfully impersonate an existing campaign committee, the obvious similarity between the flyers is strong corroborating evidence that Hobbs' political opponent, GEORGE SHIRAKAWA, was involved in both of them.

On May 10, 2013, GEORGE SHIRAKAWA went to the Sheriff's Office and voluntarily submitted a new DNA sample and a new set of fingerprints. This new DNA sample was submitted to the Crime Laboratory for analysis and comparison with the flyer evidence collected in 2010.

Rather than use the results of the 2010 postage stamp DNA analysis, the Crime Laboratory attempted to re-amplify the DNA extracted in 2010 using the latest DNA amplification technology. The new amplification kit yielded a partial low level DNA mixture with at least two contributors, at least one of which is male. Comparing GEORGE SHIRAKAWA's newly obtained DNA sample with the DNA mixture, the Crime Laboratory concluded that GEORGE SHIRAKAWA "is included as a possible contributor to this DNA mixture."

In cases of DNA mixtures, the Crime Laboratory often reports its statistical analyses as likelihood ratios based on the assumption that there are only two contributors. In this case, the Crime Laboratory reported:

"The likelihood of the DNA mixture profile is 13 million times more likely if it had originated from George Shirakawa Jr. and one unknown individual than if it had originated from two unknown individuals in the African-American population.

The likelihood of the DNA mixture profile is 62 million times more likely if it had originated from George Shirakawa Jr. and one unknown individual than if it had originated from two unknown individuals in the Caucasian population.

The likelihood of the DNA mixture profile is 1.1 billion times more likely if it had originated from George Shirakawa Jr. and one unknown individual than if it had originated from two unknown individuals in the Hispanic population."

On June 4, 2013, the District Attorney's Office filed a criminal complaint charging GEORGE SHIRAKAWA with a violation of Penal Code section 529 for impersonating Ms. Carrasco's campaign by creating and distributing these political flyers.

When delays caused the preliminary examination to remain unscheduled as of mid-October 2013, the District Attorney's Office presented this evidence to the grand jury on October 23 and 24, 2013. After the grand jury transcript became public by law, I reviewed portions of it and learned of following additional evidence: Less than a month after Xavier Campos finished first in the June 2010 primary election, GEORGE SHIRAKAWA's campaign committee received a \$5,000 political contribution from the campaign committee of state assembly candidate Nora Campos, the older sister of Xavier Campos. SHIRAKAWA received this large political donation at a time when he was not even running for office, having served less than half of his four-year term. During the same grand jury hearing, Nora Campos admitted that, to the best of her knowledge, the maximum contribution that a county supervisor could

legally receive was \$500. When asked why she made this large contribution, Nora Campos stated: "George called me and asked me to help him retire his debt." She gave no further explanation.

On October 24, 2013, the grand jury returned an indictment charging GEORGE SHIRAKAWA with the same crime charged in the previously filed criminal complaint.

During a recent review of Xavier Campos' required campaign disclosure forms ("460 forms") for the three months leading up to the 2010 primary, we discovered that the "Xavier Campos for City Council 2010" campaign made a \$93.93 "office expenses" payment to a business named "KS Cartridges" at GEORGE SHIRAKAWA's home address: "2609 Apollo Drive, San Jose CA 95121." Because a purchase of printer cartridges from a business operating out of GEORGE SHIRAKAWA's home near the time of the illegal 2010 political flyers seemed suspicious, we obtained the receipt for this purchase from the FPPC, which is currently engaged in an audit of Xavier Campos' campaign disclosures.

The KS Cartridges receipt, which is attached as "EXHIBIT C", is an invoice dated April 28, 2010 for the purchase of color and black inkjet printer cartridges for \$93.93. The illegal 2010 political flyers were postmarked May 14, 2010. An internet search of the item numbers listed on the receipt revealed that the purchased printer cartridges were: "HP 56/57 Black and Tri-color Ink Cartridges (C9321BN), Combo" and "Office Depot® Brand OD296 (HP 96) Remanufactured Black Ink Cartridge." The KS Cartridges business address listed on the invoice is GEORGE SHIRAKAWA's home address at 2609 APOLLO DRIVE, SAN JOSE, SANTA CLARA COUNTY, CALIFORNIA. The invoice also lists the email address "kenley_shirakawa@yahoo.com," presumably belonging to GEORGE SHIRAKAWA's younger brother Kenley Shirakawa. On a different receipt, there is a handwritten notation, "KS cartridges ~~cash?~~ \$93.93," with the word "cash?" crossed out. One reasonable interpretation of this notation is that its author contemplated paying this expense with cash, perhaps to conceal it.

I looked up the business name "KS Cartridges" on the City of San Jose's directory of business licenses. A business license was issued to this business on August 14, 2008 and expires on August 15, 2014. The mailing address for the business is GEORGE SHIRAKAWA's home address: 2609 APOLLO DRIVE, SAN JOSE, SANTA CLARA COUNTY, CALIFORNIA. The owner of the business is Kenley Shirakawa. The nature of the business is listed as: "printer cartridges."

A search of Santa Clara County records revealed fictitious business name statements for KS Cartridges filed on August 6, 2008 and most recently on August 2, 2013, expiring in 2018. On both of these statements, the business address is listed as GEORGE SHIRAKAWA's home address at 2609 APOLLO DRIVE, SAN JOSE, SANTA CLARA COUNTY, CALIFORNIA. The owner is listed as Kenley Shirakawa.

An internet search for a "KS Cartridges" business in San Jose yielded no information. Because KS Cartridges has no internet presence, operates out of a residence, and was issuing invoice #65 more than a year-and-a-half after taking out a business license, it is reasonable to conclude that this is a very small business operating on a shoestring budget. It is likely, therefore, that the business is still using its original computers and equipment to this day. Moreover, businesses big or small typically keep records for at least seven years for tax purposes.

After discovering that printer cartridges were purchased just prior to the mailing of the illegal campaign flyers, we searched Xavier Campos' campaign receipts for additional telltale receipts in that same time period. We found an Office Depot receipt dated May 8, 2010—only six days prior to the postmark on the flyers—for the purchase of two half reams of card stock paper similar to that used for the flyers. The same receipt showed the purchase of two rolls of 100 postage stamps. We also found US Post Office receipts dated May 3 and May 6, 2010 for seventeen rolls of 100 "44c US Flag" stamps, which are the stamps used on the illegal 2010 flyers. Lastly, we found an April 2, 2010 OfficeMax receipt for

self-adhesive mailing labels of the size used on the illegal 2010 flyers. Although none of these other receipts was associated with GEORGE SHIRAKAWA's home address, the evidence that all of these other materials necessary to make the flyers were purchased by the Xavier Campos campaign during this period suggests that the ink cartridges were also purchased to make the flyers.

On October 8, 2013 I went to GEORGE SHIRAKAWA's home address at 2609 APOLLO DRIVE, SAN JOSE, SANTA CLARA COUNTY, CALIFORNIA to serve a grand jury subpoena on Linda Delgado, GEORGE SHIRAKAWA's girlfriend of many years and mother of his child. Linda Delgado served as treasurer for the political campaign committees of both GEORGE SHIRAKAWA and XAVIER CAMPOS. When I arrived at the address, GEORGE SHIRAKAWA was sitting in the front door area of the home. Linda Delgado came to the door and accepted the subpoena. Since that visit, I have traveled to 2609 APOLLO DRIVE, SAN JOSE, SANTA CLARA COUNTY, CALIFORNIA on more than one occasion and observed that it matches the description provided in the attached search warrant.

There is evidence suggesting that Linda Delgado was the person who purchased all of the materials mentioned above for the Xavier Campos campaign. Her signature appears on that committee's 460 forms as its treasurer. In most campaigns, the treasurer is the person who spends money on behalf of the committee. Moreover, a handwritten note on one of the receipts reads: "Linda, Please order these ink cartridges for the Xavier campaign. Gracias, Enrique." As treasurer for the campaign committees of both GEORGE SHIRAKAWA and Xavier Campos, Linda Delgado likely continues to maintain records relating to those campaigns. Although Linda Delgado did not list 2609 APOLLO DRIVE, SAN JOSE, SANTA CLARA COUNTY, CALIFORNIA as her home address on the 460 forms at the time of the 2010 primary, I have seen some evidence, discussed below, that she resides at this address now.

During a public records and criminal history search I located a male named Kenley Shirakawa born 1/22/1972 whose valid California driver's license A4758669 lists his address as 2609 Apollo Drive in San Jose. I located three vehicles registered to Kenley Shirakawa; a 2006 Merz CA plate 5SLM337, 1998 Chev CA 3XMF787, and a 1997 Mitsubishi 3WBK607 all listing the Apollo Drive residence. Additionally the US Postal Inspector reports that both George Shirakawa and Kenley Shirakawa receive mail at 2609 Apollo Drive in San Jose. I located a female named Beulah Shirakawa who valid driver's license A8674290 lists the address 2609 Apollo Drive in San Jose and also is listed an additional registered owner of the previously mentioned Mitsubishi 3WBK607. Linda Delgado lists on her driver's license the address of 3291 Bel Mira Way in San Jose which is also the address of a 2007 Nissan CA 5ZZK188 registered to her. Although I did not locate any records within the CA DMV showing an address for Linda Delgado at the Apollo Drive residence I did locate a San Jose Police Report from March of 2013 during which she was a victim of a vehicle theft and listed 2609 Apollo Drive in San Jose as her residence. During several surveillances of the residence I noted several vehicles parked near or in front of 2609 Apollo Drive. Specifically on November 26, 2013 I observed the 1997 Mitsubishi 3WBK607 registered to Kenley and Beulah Shirakawa as well as the 2007 Nissan CA 5ZZK188 registered to Linda Delgado parked in front of the residence.

On November 8, 2013, GEORGE SHIRAKAWA was remanded into custody to begin serving a one-year county jail sentence on other charges. He was also placed on probation with a condition that he submit his residence, vehicle, and person to search at any time by a peace officer with or without a warrant. Because GEORGE SHIRAKAWA is currently in custody and there may be other adults exclusively occupying portions of his residence, I am seeking this warrant to search the entire premises based on probable cause that evidence of this crime may be found there.

Also, to ensure the efficient disposition of the seized property at the end of the case, I request the following order: "At the conclusion of the case, with the prosecutor's approval, seized non-contraband property may be returned to the owner without further order of the Court. Six months after the first reasonable efforts to notify the owner and return the property, any remaining property may be sold for



the benefit of the county treasury or destroyed without further court order. When the described property is not seized, but is instead photographed or otherwise duplicated, the photographs or duplicates may be destroyed at the conclusion of the case, with the prosecutor's approval, without further court order."

A modern computer's memory typically contains an extremely large volume of information. Examining that volume of information on-site could take days or weeks. Performing such a search on-site would be impractical and would unduly burden both the searching officers and the occupants of the location searched. Further, the accuracy and preservation of any data contained in the computer(s), including potentially exculpatory evidence, can best be assured in the controlled environment of a computer forensic lab. Accordingly, I request the following order: "With respect to any computer devices or things related to the operation of such devices found during the execution of this search warrant, such are to be removed to the Santa Clara County Crime Laboratory or other appropriate and secure law enforcement forensic computer examination facility where the search of the contents will be conducted. The Court additionally orders that this search may continue beyond ten days from the date of this warrant to the extent reasonably necessary to complete the search."

Based upon the foregoing, it is my opinion that I have probable cause to believe and I do believe that the crime of felony false personation, in violation of Penal Code section 529 was committed, and that the items sought may lawfully be seized and that these items are likely present on the premises of 2609 APOLLO DRIVE, SAN JOSE, SANTA CLARA COUNTY, CALIFORNIA. Wherefore, I seek issuance of this Search Warrant.

That based upon the above facts, I request that a daytime search warrant be issued with respect to the above location for the seizure of said property, and that the same be held under California Penal Code section 1536.

Wherefore, I request that this Search Warrant be issued.

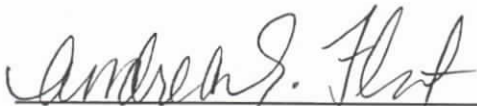
SEALING REQUESTED: YES [] NO [X]
NIGHT SEARCH REQUESTED: YES [] NO [X]

I swear under penalty of perjury under the laws of the State of California that the foregoing is true and correct.



[Signature of Affiant]

Subscribed and sworn to before me this 26 day of November 2013



Judge of the Superior Court, County of Santa Clara

Andrea E. Flint



EXHIBIT A

WARNING
YOUR FINGERPRINTS COULD CONTAMINATE
THIS CHEMICALLY-PROCESSED EVIDENCE
DO NOT TOUCH



SAN JOSE CA 951

13 MAY 2010 PM 5 7

Neighbors for Magdalena Carrasco
P.O. Box 2010
San Jose, CA 95900



Huynh
3012 Park Ln.
San Jose CA 95127

Magdalena Carrasco for San Jose City Council, District 5

351274633



Neighbors for Magdalena Carrasco for Council 2010, FPPC: 1324822

7/06522 #1 6/2/10

M100522

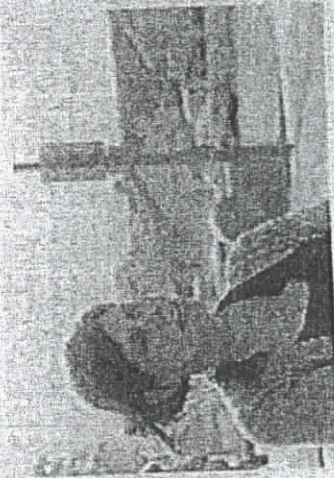
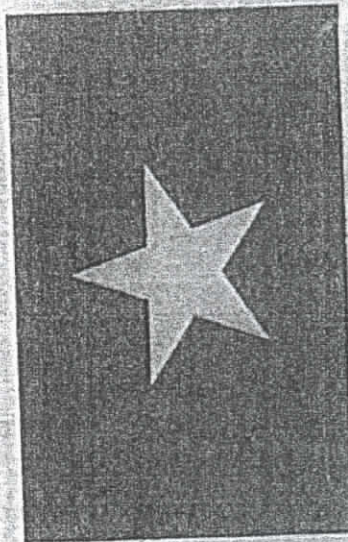
#1

61211040

W100255 #1
P1511020

Vote for Magdalena Carrasco

City Council District 5



Neighbors for Magdalena Carrasco for Council 2010, FPPC: 1324822

01/21/10

EXHIBIT B

WARNING
YOUR FINGERPRINTS COULD CONTAMINATE
THIS CHEMICALLY-PROCESSED EVIDENCE
DO NOT TOUCH



M100522 #7

6/15/10 GJ Record 20265

00000118

027

W1002

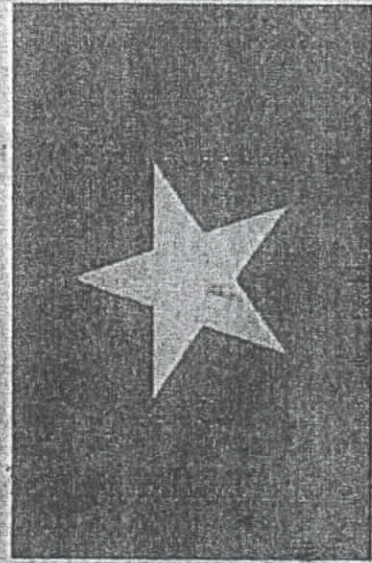
5

2/12/10 NO

Richard Hobbs Lã Tên Công Sản!



XIN ĐỪNG BẦU CHO
ÔNG TA



CÓ THỂ KIỂM CHỨNG TẠI THỦ
VIÊN TRƯỞNG ĐẠI HỌC SAN
JOSE STATE DÙO TÊN
RICHARD HOBBS

6/15/10 NO

EXHIBIT C



KS Cartridges

2609 Apollo Dr
San Jose CA 95121
(408) 515-8856

Invoice

Date	Invoice #
4/28/2010	65

Bill To
Xavier Campos for City Council

P.O. No.	Terms	Due Date	Account #	Project
		4/28/2010		

Item	Description	Qty	Rate	Amount
HPOEM5756	HP Twin Pack 56 & 57 OEM		57.99	57.99
OFD 96	Office Depot HP 96 Reman		27.99	27.99
	Sales Tax		9.25%	7.95
			Total	\$93.93

Paid #1008 4/29/10

(Total amount circled)

Phone #
408-515-8856

E-mail
kenley_shirakawa@yahoo.com

KS