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UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

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11 UNITED STATES OF AMERICA, ) NO. CR-09-703-PSG  
12 )  
Plaintiff, ) GOVERNMENT'S EX PARTE APPLICATION  
13 ) FOR ORDER UNSEALING SEARCH WARRANT  
v. ) AND RELATED DOCUMENTS; DECLARATION  
14 ) OF JASON P. GONZALEZ  
MATTHEW CRIPPEN, )  
15 )  
Defendant. )  
16 )  
17 \_\_\_\_\_)

18 TO: THE HONORABLE PHILIP S. GUTIERREZ  
19 UNITED STATES DISTRICT COURT JUDGE  
20 CENTRAL DISTRICT OF CALIFORNIA

21 Plaintiff the United States of America hereby applies ex  
22 parte for an order that the search warrant, search warrant  
23 affidavit, and related attachments filed under seal in magistrate  
24 case number 09-879-M, and which relate to a law enforcement  
25 search of defendant Matthew Crippen's residence, be unsealed so  
26 that they can be produced in discovery.

27 This ex parte application is based on the attached on the

1 attached memorandum of points and authorities and declaration of  
2 Jason P. Gonzalez.

3  
4 DATED: August 13, 2009

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6 Respectfully submitted,

7 THOMAS P. O'BRIEN  
United States Attorney

8 CHRISTINE C. EWELL  
9 Assistant United States Attorney  
Chief, Criminal Division

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11 \_\_\_\_\_  
12 /s/  
JASON P. GONZALEZ  
13 Assistant United States Attorney  
Attorneys for Plaintiff  
14 UNITED STATES OF AMERICA  
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MEMORANDUM OF POINTS AND AUTHORITIES

The government requests that this Court unseal the search warrant, search warrant affidavit, and related attachments that were filed under seal in magistrate case number 09-879-M. These documents relate to a May 5, 2009, law enforcement search of defendant Matthew Crippen's residence. The government requests that these documents be unsealed so that they can be produced in discovery. The documents originally were ordered sealed by Magistrate Judge Stephen J. Hillman in a May 1, 2009 sealed order. The order stemmed from the government's sealed ex parte application to seal the documents based on a concern that defendant, who was under investigation at the time, may learn of the investigation and flee or destroy evidence should the documents be publicly filed.

Now that the search has been completed, and defendant arrested and indicted, there is no longer any need to seal the

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1 documents. The government therefore respectfully requests that  
2 they be unsealed.

3 Respectfully submitted,

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5 THOMAS P. O'BRIEN  
United States Attorney

6 CHRISTINE C. EWELL  
7 Assistant United States Attorney  
Chief, Criminal Division  
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9  
10 /s/  
JASON P. GONZALEZ  
Assistant United States Attorney  
Attorneys for Plaintiff  
UNITED STATES OF AMERICA  
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14 DECLARATION OF JASON P. GONZALEZ

15 I, Jason P. Gonzalez, declare as follows:

16 1. I am an Assistant United States Attorney in the United  
17 States Attorney's Office for the Central District of California.  
18 I represent the government in the matter of United States v.  
19 Matthew Crippen.

20 2. It is my understanding from reviewing the materials in  
21 this case that on or about May 1, 2009, the government obtained a  
22 search warrant in magistrate case number 09-879-M. This warrant  
23 authorized the government to search the residence of defendant  
24 Matthew Crippen.

25 3. The search warrant, search warrant affidavit, and  
26 related attachments were submitted under seal. According to the  
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