

2023 294

Search Warrant # 000120089

DR# 092301014

RETURN TO SEARCH WARRANT

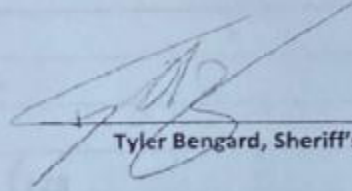
IN THE JOSHUA TREE JUDICIAL DISTRICT, JOSHUA TREE DIVISION

COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA

The following property was seized from 51063 29 Palms Hwy SPC 48, Morongo Valley, CA 92256, in County of San Bernardino, State of California, on this 1st day of August, 2023.

ITEMS SEIZED:

See attached search warrant receipt.



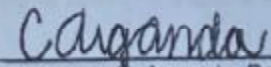
Tyler Bengard, Sheriff's Detective

Subscribed and sworn before me this 2nd day of August, 2023.

Judge of the Court
San Bernardino Judicial District
Joshua Tree Superior Court
County of San Bernardino
State of California

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO

AUG 02 2023


BY C. Arganda, Deputy

San Bernardino County Sheriff's Department
SEARCH WARRANT RECEIPT

SW No. 000120089

DR No. 292301014

On 08/01/2023, an officer of the SAN BERNARDINO SHERIFFS Department, served a search warrant at the premises at 51063 TWENTYNINE PALMS HWY #48 IRVING VALLEY, CA and seized property identified in this receipt.

The search warrant was issued on 04/01/23, by the Honorable JUDGE J. VANDE FERN, Judge of the SUPERIOR Court of the SOUTH DISTRICT Judicial District, County of San Bernardino, State of California, and is filed under court number _____ (if no number provided, contact Clerk of the Court).

ITEMS TAKEN

- 1 - RED SUITCASE W/ FANG JIN PROPERTY
- 2 - HAT - STRAW
- 3 - SANDALS
- 4 - BOOK CHINESE
- 5 - GREEN SHOES
- 6 - MAIL FOR FITZPATRICK 1 ENVELOPE
- 7 - RECEIPTS 2 MCK
- 8 - SD CARD FROM RING CAMERA (128)
- 9 - PAPERWORK UNDER MATTRESS
- 10 - DD214 FOR FITZPATRICK
- 11 - WHITE JUNKIE WITH JIN'S BIRTHDATE UNDER BEDROOM
- 12 - GREEN HELMET.

A copy of said receipt was delivered to LEFT ON KITCHEN TABLE (or posted at the aforementioned residence) prior to said officer leaving the premises Items 1 through 12.

T. BENGARD D3377 ABLES D7717
Officer Emp. No. Witness Emp. No.

Be advised that pursuant to California Penal Code sections 1539 and 1540, you may file a written motion in the court of the above-mentioned Judge who issued the warrant, seeking return of the property seized pursuant to this warrant.

For further information, contact the above officer at 760 366-4175 or, if you have further questions please contact the above officer's supervisor J. GUREY at (760) 366-4175.

The below-signed acknowledges receipt of a copy of the inventory made by searching Officer relating to property seized under the aforementioned Search Warrant.

N/A
Name Date

DISTRIBUTION: Original — Officer
Copy — Person in charge of/ to be left at scene

10-19478-401 Rev. 8/97



SUPERIOR COURT OF CALIFORNIA
County of San Bernardino

SEARCH WARRANT
Probable Cause Warrant to Search
(Penal Code Section 1524)

Warrant No. _____
FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
AUG 01 2023
C. Arganda
BY: Report #0973011111
C. Arganda, Deputy

SEARCH WARRANT AND AFFIDAVIT

AFFIDAVIT

I, Detective Tyler A. Bengard swear under penalty of perjury that the facts expressed by me in the attached and incorporated **Statement of Probable Cause** are true and that based therein I have probable cause to believe and do believe that the articles, property, and persons described below may be lawfully seized pursuant to Penal Code Section 1524, as indicated below, and is now located at the location(s) set forth below. Wherefore, I request that this Search Warrant be issued.

T.A. Bengard
A.3
(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, POLICEMAN OR PEACE OFFICER IN THE COUNTY OF SAN BERNARDINO: proof by affidavit, under penalty of perjury, having been made before me by Detective Tyler A. Bengard 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 seizeable pursuant to Penal Code Section 1524 et seq., as indicated below by "☑"(s), in that:

- Missing person with suspicious circumstances.
- 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;
- an arrest warrant has been issued for N/A
- 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:

51063 29 Palms Hwy SPC 48, Morongo Valley, CA 92256

PREMISES TO BE SEARCHED:

The premises is located at **51063 29 Palms Hwy SPC 48, Morongo Valley, CA 92256**

is described as a mobile home located in the northeast corner of the Roadrunner Mobile Home Park. The mobile home has metal siding which is gray in color with white trim. There is a sliding glass door on the southwest corner of the mobile home facing south. The front door is on the westside of the mobile home facing west. There is covered parking on the east side of the mobile home. The numbers "48" are black in color on the attached to the wall to the west of the sliding glass door.

ANY VEHICLE in the immediate vicinity of the residence, located at **51063 29 Palms Hwy SPC 48, Morongo Valley, CA 92256**, that is in the custody or control of John Fitzpatrick, as evidence by ignition keys, or car door keys, or vehicle ownership documents in his/her possession, or on his/her person, or under his/her dominion and control, or by statements of witnesses, or any vehicle within the garages, grounds, or storage areas to be searched. Such search shall include containers of any kind within the vehicle.

Included at the above described location are any and all rooms, attics, cellars, lofts, storage areas, and other parts therein, and the surrounding grounds and any storage rooms or outbuildings or garages assigned to the suspect(s), of any kind located there on whether attached or detached; and vehicles parked in the garage and any vehicles parked in the parking lot registered to the suspect(s), or on the street in front of the residence, any combination safes or locked boxes. And all rooms, attics, basements, cellars, safes, vaults, trash receptacles and other parts therein, surrounding grounds, garages, trailers, storage rooms, outbuildings of any kind, and vehicles located thereon.

FOR THE FOLLOWING PROPERTY:

- Items belonging to Fang Jin verified through photographs provided to Deputies.
- Items with the name Fang Jin on them.
- Train ticket from Amtrak issued to Fang Jin.
- Passport belonging to Fang Jin.
- Missing person's John Fitzpatrick and Fang Jin.

Articles of personal property tending to show the identity of persons in control of the premises, such as; bank records, utility and rent receipts.

Your Affiant believes that these items will tend to connect the premises, locations, persons, and vehicles to be searched with the items to be seized and the case being investigated. It is your Affiant's opinion that these types of items are usually present at the location sought to be searched by this Search Warrant and that they will therefore likely still be found in the location, and/or the person to be searched.

Your affiant attended and completed the Basic Training Academy at the San Bernardino County Sheriff's Department, Peace Officer Training Center in June 2016. Your affiant also received his training certificate through Officer Training, a general criminal investigation, Criminal Process, Courts, Hearings, traffic accidents, vehicle accidents, and Field Training Officer. Your affiant currently possesses an Advanced Certificate from the Commission on Peace Officer Standards and Training (COSTT) and holds a Bachelor's Degree in Criminal Justice Management.

Your affiant has conducted numerous investigations that led to the arrest and conviction of the suspect. Your affiant has written and served numerous search warrants and has performed in the service of numerous search warrants which resulted in arrests and the recovery of evidence.

EXPERTISE OF AFFIANT:

Your Affiant, Tyler A. Bengard, a sworn Peace Officer for the San Bernardino County Sheriff's Department, and have been employed since June 2006. Your affiant is currently assigned to the Morongo Basin Sheriff's Station as a Detective.

Prior to being assigned to the Morongo Basin Station, your affiant was assigned to the West Valley Detention Center from June 2006 to September 2006. He was transferred to the Big Bear Station in September 2006- September 12, 2008. He was transferred and assigned to the Chino Hills/West End Station as a Deputy Sheriff from September 13, 2008- March 23, 2012. He was transferred to the Colorado River Station from March 24, 2012- February 14, 2020. Your affiant is currently assigned to the Morongo Basin Station. He started as a patrol Deputy on February 15, 2020- August 12, 2022. He was promoted to Detective on August 13, 2022. While assigned to these station's your affiant conducted, and assisted in, investigations into property crimes, identity theft, crimes against a person, human trafficking, child pornography, traffic collisions, vessel collisions, narcotic sales, narcotic transportation, under water criminal investigations, and was a field training officer.

Your affiant attended, and completed, the Basic Training Academy at the San Bernardino County Sheriff's Department, Frank Bland Training Center in June 2006. Your affiant continued his training attending Advance Officer Training in general criminal investigation, Criminal Street Gangs, Narcotics, traffic accidents, boating accidents, and Field Training Officer. Your affiant currently possesses an Advanced Certificate from the Commission on Peace Officers Standards and Training (P.O.S.T.) and holds a bachelor's degree in Criminal Justice Management.

Your affiant has conducted numerous investigations that led to the arrest and convictions of the suspects. Your affiant has written and served numerous search warrants and has participated in the service of numerous search warrants which resulted in arrests and the recovery of evidence.

STATEMENT OF PROBABLE CAUSE

Fang Jin flew into Los Angeles airport from China on July 14, 2023. She was dropped off at a hotel that day. She took an Amtrak from Los Angeles to Palm Springs on July 15, 2023. She was supposedly picked up by John Fitzpatrick to go camping in the Morongo Basin Area. Jin sent a picture to friends with Fitzpatrick's driver's license and a picture of him with his truck, a blue Toyota Pickup. Jin was last heard from by friends on July 22. Deputies were in the Roadrunner Mobile Home Park and spoke to Fitzpatrick, an unknown Asian female adult was seen with him.

On July 26, 2023, Shunde Zhu reported Jin missing. As of August 1, 2023, Jin had not been heard from by friends and family.

On July 30, 2023, Daryl Hoss reported Fitzpatrick missing, report number 092301031.

Deputies went to Fitzpatrick's address located at **51063 29 Palms Hwy SPC 48, Morongo Valley, CA 92256**, and observed the front door was open. While conducting a welfare/security check of the residence, items belonging to Jin were located inside. Jin and Fitzpatrick were not located. Deputies also located receipts for the Marine Corps Exchange, which is on the Twentynine Palms Marine Corps base. On 07/03/2023, Fitzpatrick was seen on security camera purchasing duct tape. Fitzpatrick was seen with a white/Hispanic male. The male exited with the purchased items and Fitzpatrick left out another door. A blue Toyota pick up drove near the front door of the Marine Corps Exchange.

On July 16, 2023, Fitzpatrick was captured on security camera at the Marine Corps Exchange. He was purchasing toiletries and an Asian female adult, which appeared to be Jin. They left the location together and got in a blue Toyota pickup.

On 08/01/2023, Detective S. Crowl drove to **51063 29 Palms Hwy SPC 48, Morongo Valley, CA 92256**, in an attempt to contact Jin and Fitzpatrick. The front door of the residence was open. Crowl entered the residence to check the wellbeing of anyone inside and the security of the residence. While inside Crowl located items belonging to Jin inside of the residence and the odor of decomposition.

HOMICIDE ATTACHMENT:

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 believes that the location to be searched may contain evidence such as the murder weapon, blood samples, body tissues, human hair fibers, as well as, other written or taped documents which will identify the individual(s) responsible for these/this homicide(s). Your Affiant knows that due to the violent nature of this/these homicide(s), hair and blood evidence from the suspects and/or victim(s) may be present at the location of this Search Warrant.

Your Affiant may need to have a forensic specialists for the location(s) to be searched, to aid in the search for trace evidence of blood, hair fibers, bodily fluids, body tissue and fingerprints at the location. Your Affiant requests permission to photograph the location and its contents. Your Affiant also requests permission to seize any personal photographs at the location that depict

STATUTORY GROUNDS FOR ISSUANCE OF SEARCH WARRANT:

Based on the above listed information, I believe the mobile home, storage units and vehicles located at 51063 29 Palms Hwy SPC 48, Morongo Valley, CA 92256 will contain additional evidence connected to this investigation.

It is further ordered by the court that any items seized during the lawful service of this Search Warrant shall be disposed in accordance with the law by the San Bernardino County Sheriff's Department upon adjudication of the case and all appeals have been made. The officer/deputies serving the search warrant are also hereby authorized, without necessity of further court order, to return seized items to any known victim(s) if such items have been photographically documented. And this complainant prays that a Search Warrant may be issued to search for the same and that the same may be brought before a Magistrate and disposed of according to law.

John P. Vander Fee
YOUR AFFIANT DECLARES UNDER PENALTY OF PERJURY, under the laws of the State of California that this Affidavit is true and correct.

Tyler A. Bengard

Tyler A. Bengard/ Detective

Date: August 1, 2023

WARRANT NOTES

(No Notes)

County of San Bernardino.

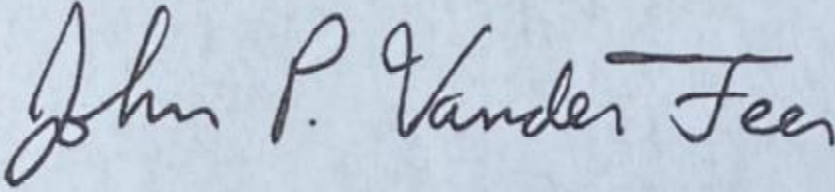
The people of the State of California to any peace officer in the County of San Bernardino:

Proof, by affidavit, having been this day made before me by telephone by the officer whose signature is affixed to the affidavit, that there is probable cause for believing that evidence tending to show that a felony (or felonies) has or have been committed, you are therefore commanded to make search on the person and/or property set forth in the description page and/or affidavit, which is incorporated by reference herein; and, in the case of a thing or things or personal property, if you find the same or any part thereof, to bring the thing or things or personal property forthwith before me at the courthouse of this Court.

Given under my hand, and issued at 17:45 on this 1st day of August, 2023

Hobbs Sealing Approved: **NO**

Night Service Approved: **NO**



Judge John Vander Feer

Warrant ID: 000120089

END OF WARRANT

On 08/03/2023, an officer of the SAN BERNARDINO COUNTY S.D. Department, served a search warrant at the premises at 51063 TWENTYNINE PALMS HWY #118 ANAHEIM CALIFORNIA and seized property identified in this receipt.

The search warrant was issued on 08/03/2023, by the Honorable S. SAGET, Judge of the SUPERIOR Court of the JOSHUA TREE Judicial District, County of San Bernardino, State of California, and is filed under court number _____ (if no number provided, contact Clerk of the Court).

ITEMS TAKEN

100 - LIVING ROOM
101 - 3 IPHONE CELL PHONES

A copy of said receipt was delivered to LEFT ON KITCHEN TABLE (or posted at the aforementioned residence) prior to said officer leaving the premises Items 101 through 101.

B. MILLER 116866
Officer Emp. No.

J. PEREZ 66923
Witness Emp. No.

Be advised that pursuant to California Penal Code sections 1539 and 1540, you may file a written motion in the court of the above-mentioned Judge who issued the warrant, seeking return of the property seized pursuant to this warrant.

For further information, contact the above officer at 760)366-4175 or, if you have further questions please contact the above officer's supervisor J. QUERRY at 760)366-4175.

The below-signed acknowledges receipt of a copy of the inventory made by searching Officer relating to property seized under the aforementioned Search Warrant.

N/A

Name

Date