

Before the Honorable CHRISTINE A. CARNEY
Judge

Affiant, Robert J. Heffernan, a commissioned investigator, with the Larimer County Sheriff's Office, being duly sworn, deposes and says that I have probable cause to believe that in or upon the property described as:

[REDACTED] Fort Collins, Colorado, County of Larimer

This property further identified as being; A single family, two story dwelling. The exterior of the residence is off white in color with beige trim. Beige numerals "5434" are affixed to the right side of the front door running vertical. A double sized garage door with one overhead door off white in color is located on the front right side of the residence facing north.

There is located certain property, namely:

1. Papers, bills, and any other documents, photographs/film and videos to identify all occupants and ownership of the premises.
2. Any computer capable and/or other electronic device capable of storing digital, magnetic, optical or analog media.
3. Any storage device of containing digital, magnetic, optical or analog media.
4. Any digital, magnetic, optical of analog video or the construction of the experimental aircraft.
5. Any manuals, reference materials, documents, and notes pertaining to the operation of any computer or electronic equipment.
6. Any notes, drawings and/or schematics, journals and blueprints relating to the experimental aircraft.
7. Any photograph digital or analog of the experimental aircraft.
8. Any plans, schematics, blueprints, story lines or notes for relating to the production of any media ventures.
9. Any applications electronic or in hard copy for the creation, application, or submission of media ventures.
10. Any information relating to the contact information of "RICHARD THOMAS"; to include phone numbers, email address, physical address, mailing address, and any other means of contact.

Initials: CAC

11. Any financial documents electronic or in hard copy for the financial and solvency status of the HEENE family or any businesses related to the HEENE family.

THAT the facts establishing probable cause, and grounds for issuance of a search warrant, and showing probable cause to believe the exist are as follows:

1. That your AFFIANT is a duly sworn deputy sheriff for the Larimer County Sheriff's Office. Your AFFIANT is currently assigned to the Investigations Division and is responsible for conducting investigations in and for Larimer County.
2. On October 15, 2009 at 1122 hours, MAYUMI HEENE, dob: 010264, called Larimer County Dispatch to report that her six year old son FALCON HEENE, dob: 123102, was in a homemade flying saucer that was accidently launched from the backyard of the residence located at [REDACTED], Fort Collins, Colorado, County of Larimer.
3. RICHARD HEENE, dob: 091161, told Larimer County Dispatch the flying saucer was a 20 feet across, 7 feet high, covered in silver foil and filled with 1000 cubic feet of helium. It was last seen 20 minutes earlier flying away from their backyards.
4. Prior to calling 9 11 RICHARD HEENE had already called and notified the Federal Aviation Administration and 9 news to get them to use their helicopters to help track the flying saucer.
5. Larimer County Sheriff's Deputy, JAKE BOWSER, arrived at the residence at 1142 hours and was told by RICHARD HEENE that FALCON HEENE snuck into the battery compartment of the flying saucer prior to the flying saucer being accidently launched. Deputy BOWSER was told by RICHARD HEENE that he had already searched the residence for FALCON and could not locate him in or around the house.
6. Deputy BOWSER with the assistance of the HEENE family conducted a second search of the HEENE residence and curtailedge in an attempted to find FALCON HEENE.
7. RICHARD HEENE and MAYUMI both stated they believed that FALCON was in the flying saucer because their son BRADFORD HEENE had videotaped FALCON saying that he was going to sneak into the flying saucer then saw him walking towards the flying saucer. BRADFORD only told his parents once the saucer was released that FALCON was in it.
8. RICHARD HEENE stated that the flying saucer was an experiment that the family was working on and the intent for the day was to lift it off the ground 20 feet. The saucer was to be tethered by two ropes tied off by MAYUMI, but was not tied correctly and the flying saucer broke the tethers and floated away.

Initials: CAC

9. The flying saucer was tracked by channel 7 and 9 news helicopters until it landed 15 miles east of Denver International Airport. FALCON was not found in the aircraft battery compartment of the flying saucer.
10. At approximately 1605 hours, FALCON came into the living room of the residence and said that he had been hiding in the attic of the garage because he was upset that his dad had yelled for playing around the battery compartment of the flying saucer.
11. RICHARD HEENE and MAYUMI HEENE reported to Your AFFIANT that the family had constructed an experimental flying saucer filled with helium and the family was going to launch it today. The saucer was to be lifted to 20 feet while they videotaped it. The flying saucer was then to be suspended in the air for further experiments. The saucer was to be tethered by 2 twenty foot ropes on either side. When he pulled the pin to release the flying saucer it went up 20 feet, the tether came lose and it went airborne. RICHARD's son BRADFORD HEENE told him that FALCON was in the flying saucer when it went airborne. RICHARD HEENE told Your AFFIANT that he believed the flying saucer was capable of lifting his son, FALCON, airborne. RICHARD called the Federal Aviation Administration (FAA), channel 9 news Denver then Emergency Dispatch and reported that FALCON was missing and presumed to be in the experimental flying saucer that was now adrift.
12. On October 17, 2009, MAYUMI HEENE told Your AFFIANT that she and RICHARD HEENE had lied to authorities on October 15, 2009. That the release of the flying saucer was intentional as a hoax, that she and RICHARD HEENE knew all along that FALCON was hiding in the residence. The motive for the fabricated story was to make the HEENE family more marketable for future media interest. MAYUMI described that she and RICHARD HEENE devised this hoax approximately two weeks earlier. The experimental flying saucer was specifically made to carry out this hoax. That she and RICHARD had instructed their three children to lie to authorities as well as the media regarding this hoax.

THEREFORE, based upon the preceding information, your AFFIANT believes that there is sufficient probable cause to seize and search the items listed above. That located on or within the property described above there does exist evidence that would be of material evidence in a subsequent criminal prosecution in this state or in another state. That the search of the above listed property will aid him in determining whom and to what extent individuals residing there are involved with the

Initials: CAC

IN THE DISTRICT COURT

TO: ROBERT HEFFERNAN, OR ANY PEACE OFFICER AUTHORIZED BY LAW TO EXECUTE SEARCH WARRANTS IN THE COUNTY OF LARIMER, STATE OF COLORADO.

AFFIANT, ROBERT HEFFERNAN, whose affidavit for search warrant has this day been taken for the following described property, namely:

1. Papers, bills, and any other documents, photographs and videos to identify all occupants and ownership of the premises.
2. Any computer capable and/or other electronic device capable of storing digital, magnetic, optical or analog media.
3. Any storage device of containing digital, magnetic, optical or analog media.
4. Any digital, magnetic, optical or analog video of the construction of the experimental aircraft.
5. Any manuals, reference materials, documents, and notes pertaining to the operation of any computer or electronic equipment.
6. Any notes, drawings and/or schematics, journals and blueprints relating to the experimental aircraft.
7. Any photograph digital or analog of the experimental aircraft.
8. Any plans, schematics, blueprints, story lines or notes for relating to the production of any media ventures.
9. Any applications electronic or in hard copy for the creation, application, or submission of media ventures.
10. Any information relating to the contact information of "RICHARD THOMAS", to include phone numbers, email address, physical address, mailing address, and any other means of contact.
11. Any financial documents electronic or in hard copy for the financial and solvency status of the HEENE family or any businesses related to the HEENE family.

...which would be material evidence in a subsequent criminal prosecution in this state or in another state.

THAT he has probable cause to believe that in or upon [REDACTED] FORT COLLINS, COLORADO, COUNTY OF LARIMER FURTHER IDENTIFIED AS BEING; A SINGLE FAMILY, TWO STORY DEWELLING. THE EXTERIOR OF THE RESIDENCE IF OFF WHITE IN COLOR WITH BEIGE TRIM, WITH BEIGE NUMBERALS [REDACTED] AFFIXED TO THE RIGHT SIDE OF THE FRONT DOOR RUNNING VERTICAL. A DOUBLE SIZED GARAGE DOOR WITH ONE OVERHEAD DOOR OFF

Initials: _____

IN THE DISTRICT COURT

WHITE IN COLOR LOCATED ON THE FRONT RIGHT SIDE OF THE RESIDENCE FACING NORTH,
there is located the above described property:

UPON the grounds set forth in the accompanying affidavit for search warrant, a true and correct copy of
which is attached thereto, and incorporated herein, by reference;

THAT the Court being satisfied that grounds for the issuance of this search warrant exist and that there is
probable cause to believe that the property or person to be searched for, seized, or inspected is located
at, in, or upon the premises, person, place, or thing to be searched.

NOW, therefore, you are commanded to execute and serve this warrant at any time within ten (10) days
from the date hereof, to search the premises, person, place or thing described herein and in the
accompanying affidavit and to seize the property described herein and in the accompanying affidavit. You
are authorized to use and employ such force as may reasonably be necessary in the performance of your
duties hereunder, you shall give the person from whom or from whose premises, person, place, or thing the
property was taken a copy of the warrant and a receipt for the property or leave the copy and receipt at the
place from which the property was taken, and make prompt return of this search warrant accompanied by a
written inventory of the property taken, to the undersigned Judge.

DONE AND SIGNED THIS 17 DAY OF Oct, 2009 AT 9:30 P.M.

C. Carney
JUDGE

Initials: _____

LARIMER COUNTY SHERIFF'S OFFICE

Return of Search Warrant and Inventory

Page 1 of 2

Return of Search Warrant:

I hereby certify that I have executed the accompanying search warrant by searching the following described property:

5434 FORT BLISS BLVD WEST, FORT COLLINS

within the County of Larimer and State of Colorado. The officer taking property under the warrant shall give to the person from whom or from whose premises the property was taken a copy of the warrant and receipt for the property or shall leave the copy and receipt at the place from which the property was taken.

Done this 17th Day of
October, 20 09

[Signature]
Signature of Officer Executing Search Warrant

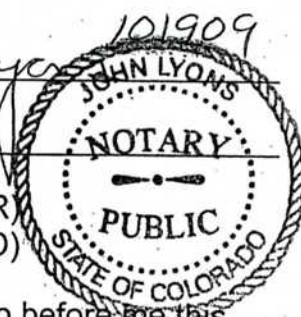
Inventory:

Affiant, R. J. HEFFERNAN, being duly sworn deposes upon (his) (her) oath and says that the following described property was taken from the above (premises) (person) (vehicle) within County of Larimer and the State of Colorado during execution of search warrant on the 18 day of Oct 20 09.

- | | |
|--------------------------------------|--|
| <u>MANILLA ENVELOPE w/ RECEIPTS</u> | <u>JVC CAMCORDER</u> |
| <u>3 MAXELL MINI CASSETTES</u> | <u>SAMSUNG DIGITAL CAM</u> |
| <u>FLUORESCENCE PHOTOGRAPH</u> | <u>CANON DIGITAL VIDEO CAMCORDER</u> |
| <u>TISSUE DRIVE</u> | <u>3 MEMORY CARDS</u> |
| <u>NOTES TO GO. FURNISHING PAPER</u> | <u>4 HARD DRIVES</u> |
| <u>FLIGHT ITINERARY</u> | <u>HP LAPTOP</u> |
| <u>NOTE</u> | <u>BROKEN HP LAPTOP</u> |
| <u>CANON DIGITAL VIDEO CAMCORDER</u> | <u>APPLE LAPTOP & FLASH DRIVE + POWER CORD</u> |
| <u>3 CASSETTE TAPES</u> | <u>HARD DRIVE</u> |

Witnessed by:

[Signature]



[Signature]
Signature of Officer Making Inventory

COUNTY OF LARIMER)
STATE OF COLORADO)

Subscribed and sworn to before me this _____ day of _____, A.D., 20 ____.
My commission expires: _____

Notary Public

LARIMER COUNTY SHERIFF'S OFFICE

Return of Search Warrant and Inventory

PAGE 2 OF 2

Return of Search Warrant:

I hereby certify that I have executed the accompanying search warrant by searching the following described property:

5434 Foster Road Dr. West, Fort Collins

within the County of Larimer and State of Colorado. The officer taking property under the warrant shall give to the person from whom or from whose premises the property was taken a copy of the warrant and receipt for the property or shall leave the copy and receipt at the place from which the property was taken.

Done this 17th Day of
OCTOBER, 20 09.

[Signature]
Signature of Officer Executing Search Warrant

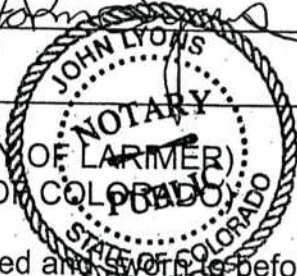
Inventory:

Affiant, R. J. HEFFERNAN, being duly sworn deposes upon (his) (her) oath and says that the following described property was taken from the above (premises) (person) (vehicle) within County of Larimer and the State of Colorado during execution of search warrant on the 18 day of OCT 20 09.

- 3 CDs Misc. PAPERWORK
- 2 REDD GARDEN DIG. VIDEO CAM PHONE / ADDRESS BOOK
- 3 DVR REC / PLAYER
- BOX MISC. MEMORY CARDS / CD'S / TAPES
- MISC BILLS / RECEIPTS / FOLDERS
- BOX MISC. CAS / F. SAUCER VIDEOS ETC
- APPLE CPU
- APPLE CPU APPLE I MAC
- Misc CDs

Witnessed by: [Signature] 101909

[Signature]
Signature of Officer Making Inventory



COUNTY OF LARIMER)
STATE OF COLORADO)

Subscribed and sworn to before me this _____ day of _____, A.D., 20 ____.
My commission expires: _____

Notary Public