



January 17, 2023

PARTICULARS IN THE MATTER OF

**REGINA v. FOX, Patrick
COURT FILE NO. 244069**

APPEARANCE/TRIAL DATE: January 23, 2023

TO: THE ACCUSED PERSON AND THEIR LEGAL COUNSEL

As of January 17, 2023 via courier to accused at North Fraser Pre-trial – vd

- ✓ McELROY, Amber VA2343 – Police Notes (10 pgs);
- ✓ Package of Certified Documents:
 - Notice to the Media and Public – Publication Ban (2pgs);
 - Probation Order, dated February 25, 2022 (5 pgs);
 - Record of Proceedings for 244069-8-B (4 pgs);
- ✓ Digital Forensics Unit – Mobile Device Examination Results Sheet (10 pgs).

As of January 12, 2023 via courier to accused at North Fraser Pre-trial – vd

- ✓ Copy of all disclosure for 244069-7B:
 - Materials previously disclosed October 15, 2020:
 - Information #244069-7B (1 pg);
 - Criminal Record (2 pgs);
 - Conviction List (2 pgs);
 - Booking Report (1 pg);
 - Probation Order dated June 12, 2020 (1 pg);
 - Probation Order dated August 19, 2020 (2 pgs);
 - McNeil Report (1 pg);
 - Narrative (3 pgs);
 - HOLLAND, Robert VA2341 – RCC Statement (2 pgs);
 - ROBERTS, Nicole VA2685 – RCC Statement (2 pgs).
 - Materials previously disclosed November 23, 2020:
 - RTCC V1 (107 pgs);
 - Multimedia:
 - Arrest of Accused;
 - Interview with Accused.

- ✓ MEIKLEJOHN, Catherine – Timeline (2 pgs);
- ✓ U.S. Department of Homeland Security – Records of Deportable/Inadmissible Alien (3 pgs);
- ✓ Screen Captures from Blog (55 pgs);
- ✓ Admissions of Fact (1 pg).

As of December 28, 2022 via courier to accused at North Fraser Pre-trial – vd

- ✓ Form 5.2 – Report to a Justice, dated May 16, 2022 (2 pgs);
- ✓ Information to Obtain, dated July 15, 2022 (17 pgs);
- ✓ Warrant to Search, dated July 15, 2022 (3 pgs);
- ✓ Form 5.2 – Report to a Justice, dated November 1, 2022 (2 pgs);
- ✓ Emails with Hunch.ly (4 pgs);
- ✓ Ministry of Public Safety and Solicitor General - Client Logs for April 19, 2022 to December 16, 2022 (4 pgs);
- ✓ McELROY, Amber VA2343 – Police Statement-14 (1 pg);
- ✓ McELROY, Amber VA2343 – Emails regarding Proxy Logs (2 pgs);
- ✓ Proxy Logs (5 pgs);
- ✓ Copy of support Page from "http://support.hunch.ly/".

As of December 15, 2022 via courier to accused at North Fraser Pre-trial – vd

- ✓ Ministry of Public Safety and Solicitor General - Client Log (1 pg);
- ✓ File Number #244069-9B:
 - Warrant for Arrest (2 pgs);
- ✓ File Number #244069-10-BC:
 - McELROY, Amber VA2343 – Police Statement-5 (1 pg);
 - McELROY, Amber VA2343 – Police Statement-7 (1 pg);
 - McELROY, Amber VA2343 – Police Statement-8 (1 pg);
 - McELROY, Amber VA2343 – Police Statement-9 (1 pg);
 - McELROY, Amber VA2343 – Police Statement-10 (1 pg);
 - McELROY, Amber VA2343 – Police Statement-11 (3 pgs);
 - McELROY, Amber VA2343 – Police Statement-12 (1 pg);
 - McELROY, Amber VA2343 – Police Statement-13 (1 pg);
 - MEIKLEJOHN, Catherine CA9189 – Police Statement-6 (1 pg).

As of October 31, 2022 via courier to accused at North Fraser Pre-trial – vd

- ✓ File Number #244069-9B:
 - Information #244069-9B (1 pg);
 - Conviction List (2 pgs);
 - Narrative (2 pgs);
 - Probation Order 244069-8B (2 pgs);
 - Appointment Slip (1 pg);
 - Client Log (1 pg);

- Google Search of website (1 pg).
- ✓ File Number #244069-10-BC:
 - McELROY, Amber VA2343 – Police Statement-4 (2 pgs);
 - McELROY, Amber VA2343 – Miscellaneous Notes-3 (1 pg);
 - FOX, Patrick – Transcript of Arrest (5 pgs);
 - FOX, Patrick – Transcript of Transport (6 pgs);
 - FOX, Patrick – Transcript of Interview (49 pgs);
 - FOX, Patrick – Transcript of Transport to Jail (4 pgs);
 - Screenshot of Webpage (1 pg).

Initial Disclosure July 7, 2022 to accused at North Fraser Pre-Trial– ns

- ✓ Information #244069-10BC (2 pgs);
- ✓ Criminal Record (2 pgs);
- ✓ Conviction List (2 pgs);
- ✓ Arrest and Booking Report (1 pg);
- ✓ McNeil Form (1 pg);
- ✓ Narrative (8 pgs);
- ✓ CAPUANO, Desiree-RCC Statement (1 pg);
- ✓ McELROY, Amber VA2343-RCC Statement (5 pgs);
- ✓ MEIKLEJOHN, Catherine VA9189-RCC Statement (2 pgs);
- ✓ KIM, Jim VA3284-Police Notes (3 pgs);
- ✓ Interview Log Notes (1 pg);
- ✓ Report-Form 5.2 (2 pgs);
- ✓ Probation Order (3 pgs);
- ✓ Arrest Script (7 pgs);
- ✓ Interview Script (4 pgs);
- ✓ Screen captures May 3, 2022 of desicapuano.com (16 pgs);
- ✓ Screen Captures May 3, 2022 of desicapuano.com (42 pgs);
- ✓ LAYTON, David-Email dated May 15, 2022 (4 pgs);
- ✓ Multimedia:
 - AUDIO RECORDING OF INTERVIEW;
 - AUDIO RECORDING OF ARREST;
 - AUDIO/VIDEO FOX INTERVIEW;
 - AUDIO RECORDING OF TIME PRIOR TO INTERVIEW.

Please find attached a copy of the Crown's particulars in relation to the charges.

TO THE ACCUSED

TAKE NOTICE THAT this disclosure material is provided to you for the sole purpose of assisting you to make full answer and defence in this prosecution. You must not use the material for any other purpose or for any other case.

1. The material may contain private or confidential information. You must keep it secure and not copy it or provide to any other person, other than your legal counsel, without the prior written permission of Crown Counsel.
2. The conditions set out above also apply to any further or additional disclosure material provided to you in relation to this prosecution.
3. If you are unable or unwilling to comply with these conditions, please immediately return the material to Crown Counsel.
4. If it is your intention to apply to exclude evidence under the section 24(2) of The Canadian Charter of Rights and Freedoms, you must give the Crown timely notice of the evidence you intend to rely on to support your application as well as the specifics of your argument and any remedy you seek.

TO THE ACCUSED AND DEFENCE COUNSEL

TAKE NOTICE THAT the Crown intends to produce the documents and records contained in this disclosure material, and any related testimony, at the trial or preliminary inquiry, pursuant to the *Canada Evidence Act*, *BC Evidence Act*, *Controlled Drugs or Substances Act* or the *Criminal Code*.

TO DEFENCE COUNSEL

TAKE NOTICE THAT this disclosure material is provided to you for the sole purpose of assisting the accused to make full answer and defence in this prosecution and not for any other purpose or any other case and also on the following conditions:

- a) You must keep the material in a secure fashion.
- b) You may permit access to the material or copy it for the use of the accused or persons acting under your supervision (for example, articling students, associate counsel, paralegals) in the preparation and presentation of the defence but only on the condition that they not copy it or provide access to it by anyone else.
- c) You must not copy or provide access to the material to any person or counsel who is not acting under your supervision. Notwithstanding the foregoing, you may copy the material and use it in conducting the defence (for example, in cross-examining a witness, providing material to the court, or providing witnesses with copies of their own statements).

- d) You may permit access to the material or copy it for the use of any expert retained to assist in the preparation and conduct of the defence but only on the condition that they not copy it or provide access to it by anyone else.
- e) You must not permit access to the material by or copy it for any person other than those referred to in conditions 2, 3, and 4, above, without the prior written consent of the Crown or a court order.
- f) If you are unable or unwilling to comply with any of these conditions, please immediately return this disclosure material to Crown Counsel.

VANCOUVER CROWN COUNSEL OFFICE

Enclosures

22-66177³
21-132224

- missing Probation appointments
↳ warrant being held (non-report)
- websites (2) password protected (breach) } remand
- needs arrest & interview
- will send Probation app~~o~~ report

May 4/22

- met with Probation^{Duty} Officer April 19/22
- directed to re-attend April 21/22 to meet c TRIMIS
- "I didn't take any steps because it has been taken down"
- didn't show

Nov. 10/17 convicted ~~presented~~

Dec 30/18 released

Mar ~~15~~/19 in custody @ border > 2.5 mths

Aug 20/20 released

> 1 mth

Sept 17/20 arrested

~~April 14/21 released~~ in custody?

Aug 12/21 released

> 5 days

Aug 17/21 arrested

April 20/22 released



VPD.CA

Amber McElroy
DETECTIVE 2343

Special Investigation Section
Domestic Violence Unit

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Fax: 604.717.3315

amber.mcelroy@vpd.ca

3545 GRAVELEY STREET, VANCOUVER, B.C. V5K 5J5
VANCOUVER POLICE DEPARTMENT | Beyond the Call

7
FOX 22-66177

1420 conversation c Michelle @ Bly RCMP Victim Services. Desiree was worried he will cross the border.

1450 conversation c CBSA Extended the 'lookout' & will be ~~advised~~ if he attempts to cross

1512 spoke to Desiree Capuano. Stated no new contact. Worried that she doesn't know where he is. Advised that Homeland Security & will be advised. CBSA advised. Probation warrant will be on the system soon.



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MAILING ADDRESS 3585 GRAVELEY STREET, VANCOUVER, B.C. V5K 5J5
VANCOUVER POLICE DEPARTMENT | Beyond the Call

FOX

61

DENT

↳ personal effects only kept for 90 days

22-132224

last arrest - never got into phone because
encrypted

- Dent to deal w Crown - just checking if I
needed these electronics - I do not

June 21/22

- update: Dent told Crown can release
electronics once Fox is released. Otherwise
they will be destroyed after 90 days as
'safe keeping'

June 22/22

Adam FLANDERS Crown



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Δ FOX

22-66177⁹⁹

July 15/22

wrote & applied for SW 487 devices

1330 dropped off @ Justice Centre

~~1428~~

1428 picked up approved authorization at
Justice Centre

1701 submitted Exhibits 2266177-1,
2266177-3 to 2266177-6 TO DFU
locker #003.



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Oct 12/22

Rec'd ccq Sept 22/22 & f/up email from Crown Ryan ELIAS requesting re contact UCLA to determine whether Patrick Fox or Richard Riess attended & obtained a computer science degree.

1016 Requested Analyst Catherine Meiklejohn to conduct an open source search for above.

1226 called Crown to obtain Ad Hoc Crown Chris Johnson's contact information.

1308 called Probation Office to obtain contact info for PO Kyriakos TRIMIS

1335 sent email request for probation report & CCTV to P.O. Trimis.

1347 sent email request to IT re: firewall ccq of Oct 11/22.

Oct 17/22

1523 completed Support Services Data Request Intake Form & submitted to vnsop.



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22-66177 ΔFOX

Oct 12/22

135
244069-10-BC

~~30 - Assignment A Site A~~
1458 conversation re P.O. TRIMIS relayed following:

April 19/22 met re Duty Officer Julia SEATH. She reviewed the Probation Order. His reporting was to explain steps around taking down the website. She gave him direction to report again on April 21/22. He no showed.

P.O. TRIMIS performed internet search on April 20/22 of ~~the~~ www.desicapuano.com & found it to be password protected.

No CCTV monitoring. Not policy to audio recorded.

Oct 17/22

1316 called UCLA stayed on hold for two hours. Contacted Crown & was advised an email request would be sufficient.

1614 Sent email to UCLA registrar's office req info



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22-6177 ΔFOX

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244069-10-BC

Oct 18/22

1139 sent email to Andrew Fan, Crime Analyst
in the Cyber Crime Unit requesting Hunchly
manuals as per CCQ from Oct 17/22



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Δ FOX
22-66177
149

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Amber McElroy

Oct 17/22

- received Reap file

November 1/22

1340 began review & read over warrant

- April 17/22 - May 5/22

↳ emails from FOX to editor www.desicapviano.com

- dates above

↳ communication between FOX, to editor or
any person related

- user info (account) to establish ID

- determine ownership, use & evidence of offence

Chats & in date range

Instant messages & in date range

Social media & in date range

Nov 8/22

1234 contacted DFU to request assistance locating
emails - negative results.

User info under Case Information physical
listed Bluetooth Device name: Moto X Play
with phone number +17789518542

continued on page 155

Nov 8/22

IMAGES

352-task-thumbnaill.png tagged as evidence
 - Validation listing desicapuano.com/blogs/
 dear-david-elby
 desicapuano.com/people/ May 12/22
 screenshot dated May 14/22

355-task-thumbnaill.png May 14/22 Inbox

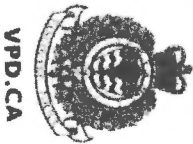
"Errors can prevent your page or feature from appearing in search results. The following errors were found on your site:

- Submitted URL returns unauthorized request (401)
- Submitted URL not found (404)
- Submitted URL seems to be a Soft 404

We recommend that you fix these issues when possible to enable the best experience & coverage in Google Search.

Fix Page indexing
issues

possibly spoke to Cybercrime & was advised that these images looked like some sort of phone extraction report. Not proof of website control.



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22-66177
157
Δ Fox

Nov 8/22

Search & Web

May 14/22

- searched Google Webmaster Tools

User accounts 13 including e...@desicapvano.ca

→ Desiree Capuano
Kyle Dent Detective

seems to be using blue mail for email communication

27 tags

sent email to DFU requesting further search for blue mail app



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VANCOUVER POLICE DEPARTMENT | Beyond the Call



Ministry of
Attorney General

Notice to the Media and Public

Policy for Public Access to Court Record Information Where a Publication Ban Has Been Ordered

The presiding judge or justice may at any time make an order, pursuant to the *Criminal Code*, legislation, common law or inherent jurisdiction, banning the publication, broadcast or transmission in any way, of some or all of the documents contained in a court file.

The presence of a publication ban does not prevent access to the court file in a court proceeding. However, anyone having access is required to abide by the terms of any publication ban which may be in place.

Although registry staff will:

- try to notify the person requesting access to the court file of a proceeding of any publication bans or restrictions that may apply, and
- will advise that publication, broadcast or transmission of the information contained in the court record could be an offence at law,

it is the responsibility of the person requesting access to the court record to identify any publication bans or restrictions that may apply and comply with them. Court Services staff are not able to provide advice on whether publication is permitted. If you are in doubt, it is recommended that you obtain legal advice.

Failure to comply with the publication ban may result in serious sanctions, including contempt of court proceedings.

Publication bans issued by the court prior to Feb. 28, 2011, (depending on the section number they are imposed under) either remain in effect until otherwise ordered by the court or until the end of the proceedings.

For further information, please consult the Supreme and Provincial Court websites to view the policy documents:

www.courts.gov.bc.ca/supreme_court

www.provincialcourt.bc.ca

**PLEASE SEE REVERSE OF DOCUMENT
FOR THE SPECIFIC PUBLICATION BAN**

The document(s) you have requested is subject to a ban on publication pursuant to the following legislation:

Criminal Code of Canada

- ☐ 276.3(1) Makes it a criminal offence to publish information from a hearing under 276.1. A hearing under s. 276.1 may be held in cases involving sexual offences to determine whether evidence regarding the prior sexual conduct of a complainant can be admitted during the trial. The ban also applies to the decision of the judge on the application unless the judge determines the decision can be published.
- ☐ 486(3) Has been replaced by 486.4, however, bans ordered pursuant to it may still be in place. An order made under the former s. 486.4 bans publication of any information that could disclose the identity of a victim, witness or justice system participant.
- ☐ 486.4 an order made under this section bans publication, broadcast or transmission of any information that could identify a victim or a witness.
- ☒ 486.5 Unless an order has been made under s. 486.4, an order made under this section bans publication, broadcast or transmission of any information that could identify a victim, witness or justice system participant.
- ☐ 517 An order bans publication of the evidence and information given to the court during a bail hearing, as well as the reasons given by the judge, until the accused is discharged or, if ordered to stand trial, the trial has ended.
- ☐ 520(9) and/or 521(10) If the court reviews a bail or detention order, the provisions of s. 517 apply (with such modifications as circumstances require).
- ☐ 539(1) Provides that evidence given at a preliminary inquiry should not be published until the accused has been discharged or, if ordered to stand trial, the trial has ended.
- ☐ 542(2) Everyone who publishes in any document, or broadcasts or transmits in any way, a report that any admission or confession was tendered in evidence at a preliminary inquiry or a report of the nature of such admission or confession so tendered in evidence unless;
 (a) the accused has been discharged, or
 (b) if the accused has been ordered to stand trial, the trial has ended,
is guilty of an offence punishable on summary conviction.
- ☐ 631(6)(a) Provides that the judge may make an order directing that the identity of a juror or any information that could disclose their identity shall not be published in any document or broadcast or transmitted in any way
- ☐ 648(2) Everyone who publishes in any document or broadcasts or transmits in any way any part of the trial that was heard in the absence of the jury is guilty of an offence punishable on summary conviction.

Sex Offender Information and Registration Act

- ☐ 16(4) Provides that no person shall disclose any information that is collected pursuant to an order under S.O.I.R.A. or the fact that information relating to a person is collected under S.O.I.R.A.
- ☐ Other court ordered ban on publication

Probation Order (Prison)

Police File No.
401:21-132224

Court File No.
2040:244069-8-B

IND

Canada: Province of British Columbia

Ban on Publication CCC 486.5(1)

Primary Enf. Agency:

D.O.B.: November 24, 1973

Proceeded: By Indictment

☐ Interpreter present

Whereas on February 25, 2022 at Vancouver, British Columbia,

Patrick Henry Fox

(the "offender") was convicted or found guilty, as the case may be, upon the following charge(s) and on February 25, 2022 the Court adjudged that the offender be imprisoned in the Province of British Columbia as follows:

Count 1, on or about August 15, 2021, at or near Vancouver BC, did commit an offence of Failure to comply with probation order, contrary to section 733.1(1) Criminal Code.

SENTENCE: Jail: 2 Month(s) 18 Day(s) [Credited Pre-Sentence Time in Custody: 9 Month(s) 12 Day(s) ; Actual Pre-Sentence Time in Custody: 6 Month(s) 8 Day(s) ; Jail Term that would have been imposed before Credit Granted: 12 Month(s) ;]; Victim Surcharge Exempt; Probation Order: 3 Year(s);

I have read or have had read to me and understand a total of 1 Charge

and in addition thereto, that the said offender comply with the conditions hereinafter prescribed:

Now, therefore, the said offender shall for the period stated above, from the date of expiration of imprisonment, comply with the following conditions, namely, that the said offender shall:

I have read or have had read to me and understand a total of 6 Conditions on 1 Conditions Attachment Page

CERTIFIED A TRUE COPY

JAN 16 2023

[Signature]
Clerk of the Court in and for
the Province of British Columbia

Dated / Fait le February 25, 2022 at / à Vancouver, British Columbia / Colombie-Britannique

I, the undersigned offender, acknowledge that I have received:

- a copy of the Probation Order
- an explanation of the substance of the sections dealing with changes to the Probation Order and failing to comply with the Probation Order (Sec 732.2(3) and (5), and Sec 733.1), and
- an explanation of the procedures for applying for changes to the Probation Order,

and that I understand the terms of this Probation Order and the explanations which I have received.

[Signature: Refused to sign]

Offender / Contrevenant(e)
Address / Adresse :
555 Homer St
Vancouver, BC

Phone Number / Numéro de téléphone :

Je, le(la) contrevenant(e) soussigné(e), reconnais que j'ai reçu :

- une copie de l'Ordonnance de probation
- une explication du contenu des articles ayant trait aux changements apportés à l'Ordonnance de probation et au défaut de se conformer à l'Ordonnance de probation (Art. 732.2(3) et (5), et Art 733.1), et
- une explication des procédés à suivre pour faire une demande de changements à l'Ordonnance de probation,

et que je comprends les conditions de cette Ordonnance de probation et les explications que j'ai reçues.

K. Anderson 2022.02.25 15:21:17
-08'00'

A Clerk of the Court on behalf of / Un greffier du tribunal au nom du
Judge / juge K Denhoff, in and for the Province of British Columbia /
dans et pour la province de la Colombie-Britannique

Probation (Prison)

BAN ON PUBLICATION

Ordonnance de probation (prison)

Nu. de dossier de la police Nu. de dossier du greffe
401:21-132224 2040:244069-8-B

IND

Canada: Province de la Colombie-Britannique

☐ Interprète présent

Ban on Publication CCC 486.5(1)

Org. prim. d'app. de la loi :

D.D.N. : November 24, 1973

Procédé : par mise en accusation

Attendu que le **February 25, 2022** à **Vancouver**, Colombie-Britannique,

Patrick Henry Fox

(le(la) <<contrevenant(e)>>) a été condamné(e) ou reconnu(e) coupable, selon le cas, de l'(des) infraction(s) suivante(s) et le **February 25, 2022** le tribunal a décidé que le(la) contrevenant(e) soit **incarcéré(e)** dans la province de la Colombie-Britannique comme suit :

Count 1, on or about August 15, 2021, at or near Vancouver BC, did commit an offence of Failure to comply with probation order, contrary to section 733.1(1) Criminal Code.

SENTENCE: Jail: 2 Month(s) 18 Day(s) [Credited Pre-Sentence Time in Custody: 9 Month(s) 12 Day(s) ; Actual Pre-Sentence Time in Custody: 6 Month(s) 8 Day(s) ; Jail Term that would have been imposed before Credit Granted: 12 Month(s) ;] ; Victim Surcharge Exempt; Probation Order: 3 Year(s);

J'ai lu ou j'ai m'a lu et je comprends 1 inculpation

et, de plus, que ledit (ladite) contrevenant(e) se conforme aux conditions prescrites suivantes :

Pour ces motifs, ledit (ladite) contrevenant(e) devra pour la période ci-dessus prescrite à compter de la date d'expiration de la sentence d'emprisonnement, se conformer aux conditions suivantes, notamment que ledit (ladite) contrevenant(e) devra :

J'ai lu ou j'ai m'a lu et je comprends 6 conditions sur 1 page de l'Annexe des conditions

CERTIFIED A TRUE COPY

JAN 16 2023

[Signature]
Clerk of the Court in and for
the Province of British Columbia

Probation (prison)

BAN ON PUBLICATION

Probation Order/ Ordonnance de probation

(Prison/ prison)
Canada: Province of British Columbia
Province de la Colombie-Britannique

Police File No./
Nu. de dossier de la police
401:21-132224

Court File No./
Nu. de dossier du greffe
2040:244069-8-B

D.O.B./ D.D.N. : November 24, 1973
Ban on Publication CCC 486.5(1)

Re/ Objet : Fox

Conditions Attachment/ Annexe des conditions

Condition 1: Keep the peace and be of good behaviour.

Condition 2: Appear before the Court when required to do so by the Court.

Condition 3: Notify the Court or the Probation Officer in advance of any change of name or address, and promptly notify the Court or the Probation Officer of any change of employment or occupation.

Condition 4: Report to a Probation Officer within 72 hours of your release from custody only for the purpose of informing your Probation Officer at that time of the exact steps you have taken to comply with the conditions of this Probation Order, with the following condition of this Probation Order that: within 48 hours of your release from custody you shall take all necessary steps to ensure that any website, social media page or any other publication, which you have authored, created, maintained or contributed to, which contains any information, statements, comments, videos, pictures which refer to or depict, by name or description, Desiree Capuano or any of her friends, relatives, employers, or co-workers, including the websites published under the domain www.desireecapuano.com and www.desicapuano.com are no longer available via the internet or any other means. Once you have reported these exact steps you have taken to comply with that condition, you will no longer be required to report to a Probation Officer.

POR Condition 5: You shall have no contact or communication directly or indirectly with Desiree Capuano or any of their friends, relatives, employers or co-workers.

Condition 6: You shall not disseminate, distribute, publish or make publicly available in any manner whatsoever, directly or indirectly, information, statements, comments, videos or photographs which refer to or depict, by name or description, Desiree Capuano, or any of her friends, relatives, employers or co-workers.

I have read or have had read to me and understand a total of 6 Conditions on 1 Conditions Attachment Page/ J'ai lu ou j'ai m'a lu et je comprends 6 conditions sur 1 page de l'Annexe des conditions

CERTIFIED A TRUE COPY

JAN 16 2023

[Signature]
Clerk of the Court in and for
the Province of British Columbia

Probation (prison)/ Probation (Prison)

BAN ON PUBLICATION

Important Information for a Person Placed on Probation

1. Changes to a Probation Order

Criminal Code Section 732.2(3)

You may apply to change or cancel a condition of your *Probation Order*, or reduce the time you will be on probation. Ask the Court Registry for an *Application to a Judge* form, to make this request.

The probation officer or the prosecutor may also ask to change or cancel a condition of your *Probation Order*, or to reduce the time you will be on probation.

You may have to appear in court, and the Court may issue a *Warrant* or *Summons* to make you appear.

If any changes are made, you will have to sign the changed *Probation Order* and you will receive a copy.

Criminal Code Section 732.2(5) and Section 730(4)

The prosecutor may ask to have you come back to court if you are convicted of another offence, including breach of probation, as long as:

- you have not appealed that conviction, or
- you are out of time to appeal it, or
- your appeal was dismissed, or
- you do not intend to appeal.

The Court may then:

- revoke a *Suspended Sentence* or a *Conditional Discharge* and give you a different sentence, or
- change the additional conditions, or
- extend your probation by up to one more year.

2. Failure to Comply with a Probation Order

Criminal Code Section 733.1

If you are on probation and fail to comply with the order, you can be charged with "breach of probation". If the Court finds you guilty of a breach of probation, you can be sentenced to:

- a jail term for up to four years, if the Crown proceeds by indictment, or
- a jail term for up to two years less a day, or a fine of up to \$5,000.00, or both if the Crown proceeds by summary conviction.

Your court appearance for a breach charge does not have to be where your *Probation Order* was made. You may appear in the court closest to where the offence happened, or where you were found, arrested, or in custody.

3. Changes to Personal Information

If you change your name or address, you must notify the Court or your probation officer of any change in advance. Any changes to other personal information, including your employment or occupation must be reported to the Court or your probation officer. To report any changes, you should ask the Court Registry or your probation officer for a *Notice of Change of Personal Information* form.

This is an information sheet. In the event of any conflict between this information and any Act(s) or law, the provisions of the Act(s) apply.

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JAN 16 2023

[Signature]
Clerk of the Court in and for
the Province of British Columbia

Probation (prison)/ Probation (Prison)

BAN ON PUBLICATION

Renseignements importants à l'intention d'une personne mise en probation

1. Modification d'une ordonnance de probation

Article 732.2(3) du Code criminel

Vous pouvez faire une demande de modification ou d'annulation d'une condition de votre *ordonnance de probation* ou de réduction de la durée de votre mise en probation. Pour ce faire, demandez un formulaire de Demande à un juge au greffe de la cour.

L'agent de probation ou le(la) poursuivant(e) peut également demander de modifier ou d'annuler une condition de votre ordonnance de probation, ou de réduire la durée votre mise en probation.

Vous devrez peut-être comparaître devant un tribunal et le tribunal peut émettre un *mandat* ou une *somation* pour vous obliger à comparaître.

En cas de changement, vous devrez signer l'*ordonnance de probation* modifiée et vous en recevrez une copie.

Articles 732.2(5) et 730(4) du Code criminel

Le(la) poursuivant(e) peut demander votre comparution devant le tribunal si vous êtes déclaré(e) coupable d'une autre infraction, y compris un manquement aux conditions de la probation, pourvu que :

- vous n'avez pas interjeté appel de cette déclaration de culpabilité, ou
- le délai d'appel soit expiré, ou
- votre appel ait été rejeté, ou
- vous n'avez pas l'intention d'interjeter appel.

Le tribunal peut alors :

- révoquer une *condamnation* avec sursis ou une *libération conditionnelle* et vous infliger une peine différente, ou
- modifier les conditions supplémentaires, ou
- prolonger la durée de votre probation d'au plus un an.

2. Défaut de se conformer à une ordonnance de probation

Article 733.1 du Code criminel

Si vous avez été mis(e) en probation et que vous omettez de vous conformer à l'ordonnance, vous pouvez être inculpé(e) d'un manquement aux conditions de la probation. Si le tribunal vous reconnaît coupable d'un manquement aux conditions de la probation, vous pouvez être condamné(e) à :

- une peine d'emprisonnement d'au plus quatre ans, si la Couronne procède par mise en accusation, ou
- une peine d'emprisonnement pouvant deux ans moins un jour, ou une amende d'au plus 5 000 \$, ou les deux, si la Couronne procède par déclaration sommaire de culpabilité.

Votre comparution devant le tribunal pour manquement aux conditions de l'ordonnance ne doit pas nécessairement se faire au lieu où l'ordonnance de probation a été rendue. Vous pouvez comparaître devant le tribunal le plus près du lieu où l'infraction a été commise, ou du lieu où vous avez été trouvé(e), arrêté(e) et mis(e) sous garde.

3. Changements de renseignements personnels

Si vous changez de nom ou d'adresse, vous devez en aviser le tribunal ou votre agent de probation à l'avance. Vous devez également informer le tribunal ou votre agent de probation de tout autre changement de renseignements personnels, y compris un changement d'emploi ou de métier ou profession. Afin de signaler un changement quelconque, vous devriez demander le formulaire *Avis de changement de renseignements personnels* au greffe de la cour ou à votre agent de probation.

La présente est une feuille de renseignements. En cas de conflit entre ces renseignements et une ou plusieurs lois, les dispositions de la (des) loi(s) s'appliquent.

Probation (prison)/ Probation (Prison)

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JAN 16 2023

pldc
Clerk of the Court in and for
the Province of British Columbia

Provincial Court Record of Proceedings and Endorsement of Information

BAN ON PUBLICATION

Court File No. 2040:244069-8-B PRA
Court File No.
Police Agency and File No. 401:21-132224

Name of Accused: Fox, Patrick Henry
D.O.B.: November 24, 1973

Language:
For:

COURT APPEARANCES

Date DD-MMM-YY	Time	Room	Reason	Interpreter Required	A NT PV	Counsel	A CS DT NV	Prosecutor	T V	Results	No JIR by Consent	Custody Status	Prov. Court Judge	T V	Confirmed
17-AUG-21	7:30PM	310	JIR		PV		N	Crown Ad Hoc	T	IBJ		IC	J A Davenport		✓
Appearance Notes and Orders Heard at: Justice Centre (Judicial) (2041)															
18-AUG-21	9:30AM	101	JIR		PV	Daniells, S	DM	Crown Ad Hoc	M	IBJ		IC	J F Galati		✓
Appearance Notes and Orders Heard at: Vancouver Provincial Court (2040) VAN JAIL;															
01-SEP-21	9:30AM	102	FXD		PV		N	Crown Ad Hoc	M	IBJ		IC	E A Burgess		✓
Appearance Notes and Orders JCM Scheduling Instructions To Schedule For: For Trial Time Estimate: 1 Day(s) Note: Accused in custody; Heard at: Vancouver Provincial Court (2040)															
14-SEP-21	9:30AM	102	CTD		PV	JOHNSON, C	CM	Rosanne Sinclair	M	IBJ		IC	D Senni		✓
Appearance Notes and Orders Heard at: Vancouver Provincial Court (2040)															
14-OCT-21	9:30AM	305	FT		P		N	Crown Ad Hoc		IBJ		IC	D Senni		✓
Appearance Notes and Orders Adjourned to JCM to fix date, Crown application to adjourn granted; Heard at: Vancouver Provincial Court (2040)															
23-NOV-21	9:00AM	304	FT		N		N	Crown Ad Hoc		SBS		IC	O Athans		✓
Appearance Notes and Orders Heard at: Vancouver Provincial Court (2040)															
23-NOV-21	9:30AM	512	FT		P	Self - Represented	N	Crown Ad Hoc		IBC		IC	P M Bond		✓
Appearance Notes and Orders Heard at: Vancouver Provincial Court (2040) Judge directed that Accused, Mr. Fox can be accommodated to have access to a sharing screen on the day of the trial 10-JAN-2022.; Accused I/C; Application to ADJ by Accused (Self-Represented) to review Transcripts. Ad Hoc Crown, Chris Johnson consents to ADJ application. ADJ granted per Judge P. Bond.; Judge Bond directs that there will be an appearance two to three weeks before the trial;															
14-DEC-21	9:30AM	101	APP		PV		N	Crown Ad Hoc		IBJ		IC	G Rideout		✓
Appearance Notes and Orders Heard at: Vancouver Provincial Court (2040) Draft order by Crown is granted by Judge Rideout, G. Order signed on bench and placed in file;															
29-DEC-21	9:30AM	102	CTD		PV		N	Crown Ad Hoc		IBC		IC	J Bahen		✓
Appearance Notes and Orders Heard at: Vancouver Provincial Court (2040) Accused to appear in person for trial date of January 10th, 2022, CRT 304;															
10-JAN-22	9:30AM	514	FT		P		N	Crown Ad Hoc		IBD		IC	J F Galati		✓
Appearance Notes and Orders Defence application to adjourn; Not opposed; Granted (witness not available); Heard at: Vancouver Provincial Court (2040)															

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JAN 16 2023

BAN ON PUBLICATION

27-JAN-22	9:00AM	510	FT		P		N	Crown Ad Hoc		IBJ		IC	K Denhoff		✓
Appearance Notes and Orders Heard at: Vancouver Provincial Court (2040) ORDER FOR ATTENDANCE: Pursuant to Section 527 of the Criminal Code of Canada, the person having custody of PRISONER is ordered to deliver the prisoner to the Sheriff for court attendance on 23-MAR-2022. After court, the prisoner is then to be returned to the person having custody;															
15-FEB-22	2:00PM	510	APP		PV		N	Curt Johnson		IBJ		IC	K Denhoff		✓
Appearance Notes and Orders Heard at: Vancouver Provincial Court (2040) March 23 and 24, 2022 trial dates are vacated as per the order of Judge Denhoff;															
23-FEB-22	9:00AM	307	FT									IC			
Appearance Notes and Orders Heard at: Vancouver Provincial Court (2040)															
23-FEB-22	9:30AM	307	CNT		P	Self	C	Crown Ad Hoc		IBJ		IC	K Denhoff		✓
Appearance Notes and Orders Heard at: Vancouver Provincial Court (2040)															
25-FEB-22	9:30AM	307	CNT		P	Self	N	Crown Ad Hoc		END		IC	K Denhoff		✓
Appearance Notes and Orders Heard at: Vancouver Provincial Court (2040)															
23-MAR-22	9:00AM	304	FT									IC			
Appearance Notes and Orders Heard at: Vancouver Provincial Court (2040)															
24-MAR-22	9:30AM	304	CNT									IC			
Appearance Notes and Orders Heard at: Vancouver Provincial Court (2040)															

ARRAIGNMENT

Date DD-MMM-YY	Event	Detail
01-SEP-21	Arraignment	Waives Reading

BANS

Order for Publication Ban

Date DD - MMM - YY	Ban
25-FEB-22	Publication CCC 486.5(1)

JUDICIAL INTERIM RELEASE OR DETENTION

☐ Additional JIRs Following

Date Ordered
DD - MMM - YY
18-AUG-21

Ordered by Judge / Justice: J F Galati

☒ Detention Order

☐ Detained under s. 524(4) or (8)

☐ Previous Conviction

Release Date
DD - MMM - YY

☐

☐ Bail covers these informations:

Amount: _____

☐ Deposit: _____

☐ Sureties: _____

☐ Alternate Bail: _____

☐ Conditions (See below)

☐ POR

☐ CFC

☐ Passport

Remarks: _____

Document Status: _____

Date: _____

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JAN 16 2023

Clerk of the Court in and for
the Province of British Columbia

BAN ON PUBLICATION

COMMENTS

Result Comments

22 Jun 2016; 244069-1 proceeded on 244069-2-CK
244069-3-B-Fox-Patrick Counts 1 | 244069-4-BC-Fox-Patrick Counts 1, 2, 3 | 244069-5-BC-Fox-Patrick Counts 1, 2, 3

Finding: PNI -Proceeded on New Information or New Ticket

To: 244069-5-BC

244069-9-B-Fox-Patrick Counts 1

Finding: PNI - Proceeded on New Information or New Ticket

To: 244069-10-BC

PLEAS

Crown Proceeded: By Indictment

Date DD-MMM-YY	Count	Election				Re-Election			
		Prov Court Judge	Judge	Judge & Jury	Before Judge	Prov Court Judge	Judge	Judge & Jury	Before Judge
01-SEP-21	1	✓			E A Burgess				

Date DD-MMM-YY	Count	PLEA				Re-enters / Changes Plea		
		Guilty	Not Guilty	Not guilty as charged but guilty of section	Other Description	Guilty	Not Guilty	Not guilty as charged but guilty of section
01-SEP-21	1		✓					

FINDINGS

Date DD-MMM-YY	Count	Guilty	Not Guilty	Not guilty as charged but guilty of section	Dangerous Offender	Long-Term Offender	Mental Disorder	Mistrial	No Action Taken	Detention Review Ineligible	Detention Review Waived
25-FEB-22	1	✓									

SENTENCE

Date DD-MMM-YY	Count	Description	Sentence Term	Amount	Due / TTP Date
25-FEB-22	1	Jail	2 Month(s) 18 Day(s)		
Date DD-MMM-YY	Count	Description	Sentence Term	Amount	Due / TTP Date
25-FEB-22	1	Actual Pre-Sentence Time in Custody	6 Month(s) 8 Day(s)		
Date DD-MMM-YY	Count	Description	Sentence Term	Amount	Due / TTP Date
25-FEB-22	1	Credited Pre-Sentence Time in Custody	9 Month(s) 12 Day(s)		
Date DD-MMM-YY	Count	Description	Sentence Term	Amount	Due / TTP Date
25-FEB-22	1	Jail Term that would have been imposed before Credit Granted	12 Month(s)		
Date DD-MMM-YY	Count	Description	Sentence Term	Amount	Due / TTP Date
25-FEB-22	1	Probation Order	3 Year(s)		
Details: Conditions - See below					
Date DD-MMM-YY	Count	Description	Sentence Term	Amount	Due / TTP Date
25-FEB-22	1	Victim Surcharge Exempt			

CONDITIONS

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JAN 16 2023

*Clerk of the Court in and for
the Province of British Columbia*

BAN ON PUBLICATION

APPEARANCE: 25-FEB-2022 09:30 AM SENTENCE: Probation Order COUNT: 1

Keep the peace and be of good behaviour.

Appear before the Court when required to do so by the Court.

Notify the Court or the Probation Officer in advance of any change of name or address, and promptly notify the Court or the Probation Officer of any change of employment or occupation.

Report to a Probation Officer within 72 hours of your release from custody only for the purpose of informing your Probation Officer at that time of the exact steps you have taken to comply with the conditions of this Probation Order, with the following condition of this Probation Order that: within 48 hours of your release from custody you shall take all necessary steps to ensure that any website, social media page or any other publication, which you have authored, created, maintained or contributed to, which contains any information, statements, comments, videos, pictures which refer to or depict, by name or description, Desiree Capuano or any of her friends, relatives, employers, or co-workers, including the websites published under the domain www.desireecapuano.com and www.desicapuano.com are no longer available via the internet or any other means. Once you have reported these exact steps you have taken to comply with that condition, you will no longer be required to report to a Probation Officer.

You shall have no contact or communication directly or indirectly with Desiree Capuano or any of their friends, relatives, employers or co-workers.

You shall not disseminate, distribute, publish or make publicly available in any manner whatsoever, directly or indirectly, information, statements, comments, videos or photographs which refer to or depict, by name or description, Desiree Capuano, or any of her friends, relatives, employers or co-workers.

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JAN 16 2023


Clerk of the Court in and for
the Province of British Columbia

VANCOUVER POLICE DEPARTMENT

DIGITAL FORENSICS UNIT

MOBILE DEVICE EXAMINATION RESULTS SHEET

GO NUMBER	2022-66177	INCIDENT TYPE	Fail to Comply with Probation
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DESCRIPTION OF ARTICLE EXAMINED

Motorola Moto X Play phone
Property Office Article #: 2266177-1

EXHIBIT PHOTOGRAPHS



SUMMARY OF FINDINGS

On 2023-01-12, I, Sgt. Shook began examination of this device. An image of the device and a preliminary return of the data had already been completed and provided to investigators. Investigators reviewed the data and located what was evidentiary. Using these selections I located that data, verified it and have exported it for inclusion in this report.

EXHIBIT DETAILS

Make	Motorola	Model	XT1563 (Moto X Play)
Colour	black	MAC Address	84:10:0D:1A:2E:1F
IMEI	358966062724786	Operating System	Android 7.1.1
Time Zone	UTC-8 Vancouver	Phone	17789518542
Device User	Patrick		

SIM CARD DETAILS

ICCID	89302610105006864295	IMSI	302610940686418
Service Provider	Lucky Mobile	Phone Number	17789518542

MEMORY CARD DETAILS

Type of card	MicroSD	Brand	Sandisk
Capacity	64 GB	Model	Ultra Micro SD XC I

TCU EXAMINER	2536 Shook	FILE INVESTIGATOR	3286 Levshuk
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OTHER NOTES:

#####

22-66177-1

opening preliminary report in Reader v. 7.56.0.20

loading extraction in PA v. 7.58.0.66

setting time zone to utc-8 vancouver

loading pas file

searched items tagged

firefox web browser records

source files are data/data/org.mozilla.firefox/files/places.sqlite

/data/data/org.mozilla.firefox/files/places.sqlite-wal

times are all utc-7
user accounts tagged
accounts are from many different services
using photos taken by 1490 Yingling for final report
device users source file userdata/Root/system/users/0.xml
SIM SPN not programmed, taken from watermark on SIM card itself

Date of Report:

2023-01-12

Glossary

Definitions in part from: <https://csrc.nist.gov>, <https://iacpcybercenter.org>, <https://swgde.org>, and <https://www.wikipedia.org/>

Terms	Definitions
Android	Android is a mobile operating system based on a modified version of the Linux kernel and other open source software, designed primarily for touchscreen mobile devices such as smartphones and tablets. Android is developed by a consortium of developers known as the Open Handset Alliance and commercially sponsored by Google.
Data	Information in analog or digital form that can be transmitted or processed.
Digital Forensics	The application of science to the identification, collection, examination, and analysis of data while preserving the integrity of the information and maintaining a strict chain of custody for the data.
Extraction	A method of exporting data from a source, such as dumping data from a cell phone.
Forensics	The practice of gathering, retaining, and analyzing computer-related data for investigative purposes in a manner that maintains the integrity of the data.
GB	A Gigabyte, or GB, is 1024 megabytes (MB), or 1,048,576 KB, or 1,073,741,824 bytes. Often considered (incorrectly) to be one billion bytes.
Gmail	Gmail is a free, email service developed by Google. Users can access Gmail on the web and through the mobile apps for Android and iOS, as well as through third-party programs.
ICCID	Integrated Circuit Card ID (ICCID) – The unique serial number assigned to, maintained within, and usually imprinted on the (U)SIM. The ICCID is a 19 or 20-digit serial number.
Image	(1) An imitation or representation of a person or thing, drawn, painted, photographed, etc. or (2) A bit stream copy of the available data. The result may be encapsulated in a proprietary format (e.g., E01, 001, etc.).
IMEI	International Mobile Equipment Identity (IMEI) – A unique identification number programmed into GSM and UMTS mobile devices.
IMSI	International Mobile Subscriber Identity (IMSI) – A unique number associated with every GSM mobile phone subscriber, which is maintained on a (U)SIM.
Instagram	Instagram is a popular social networking service that enables its users to take photos and videos and share them on a variety of social networking platforms. Instagram users can also make video calls to other users without requiring a phone number.
MAC Address	A Media Access Control address, also known as the hardware address or ether-net address. A unique identifier specific to the network card inside a computer. Allows the DHCP server to confirm that the computer is allowed to access the network. MAC addresses are written as XX-XX-XX-XX-XX-XX, where the Xs represent digits or letters from A to F.
Mobile Device	A portable device that has an embedded system architecture, processing capability, on-board memory, and may have telephony capabilities (e.g., cell phones, tablets, and smartphones).
Password	A protected character string used to authenticate the identity of a computer system user or to authorize access to system resources.
Root	In a computer file system, and primarily used in the Unix and Unix-like operating systems, the root directory is the first or top-most directory in a hierarchy. Alternatively, the special user account used for system administration, the superuser, can be called root.

Glossary

Definitions in part from: <https://csrc.nist.gov>, <https://iacpybercenter.org>, <https://swgde.org>, and <https://www.wikipedia.org/>

Terms	Definitions
Services	Microsoft Windows services, formerly known as NT services, enables the creation of long-running executable applications that run in their own Windows sessions. These services can be automatically started when the computer boots, can be paused and restarted, and do not show any user interface. These features make services ideal for use on a server or whenever there is a need for a long-running functionality that does not interfere with other users who are working on the same computer. Services can also be run in the security context of a specific user account that is different from the logged-on user or the default computer account.
SIM	Subscriber Identity Module, or SIM, is a smart card chip specialized for use in GSM equipment, such as cellphones.
User	Individual or (system) process authorized to access an information system.
User ID	Unique symbol or character string used by an information system to identify a specific user.
UTC	Coordinated Universal Time (UTC) is the primary time standard by which the world regulates clocks and time. For most purposes, UTC is synonymous with Greenwich Mean Time (GMT). Computer servers, online services and other entities that rely on having a universally accepted time use UTC as it is more specific than GMT. Time zones around the world are expressed as positive or negative offsets from UTC, as in the list of time zones by UTC offset. UTC does not change with a change of seasons, but local time may change if a time zone jurisdiction observes daylight saving time (summer time). For example, local time on the west coast of Canada is eight hours behind UTC (UTC -8) during winter (Pacific Standard Time (PST)), but seven hours behind (UTC -7) while daylight saving is observed (Pacific Daylight Time(PDT)). PST changes to PDT at 02:00 hrs local time on the second Sunday in March. (Spring – springs forward one hour) and back to PST on the first Sunday of November.

User Accounts

#	Username	Account Data
1	patrickhfox@gmail.com	Service Type: org.mozilla.firefox_fxaccount Source File: data/system_de/0/accounts_de.db
2	p.....@gmail.com	Service Type: me.bluelmail.mail Password: ya29.GludBkUafUPaWNIFdk22L6KtasYV33p5pH38z0u8eYIVPdbQSGyX3hYoM FDa916qjxkFwxGe_Jcw8qMMH7bq7BMvHM6WGr6VgYlHgYQVA02zR6eaRYiu- uL2ZoT0 Source File: data/system_ce/0/accounts_ce.db
3	p.....@desicapuano.com	Service Type: me.bluelmail.mail Password: Liz2Munoz8 Source File: data/system_ce/0/accounts_ce.db
4	e.....@desicapuano.com	Service Type: me.bluelmail.mail Password: Liz2Munoz8 Source File: data/system_ce/0/accounts_ce.db
5	patrickhfox@gmail.com	Entries: User ID: 103905357275430452996 Source File: data/data/com.google.android.calendar/databases/cal_v2a-wal
6	patrickhfox@gmail.com	Source File: data/data/com.google.android.apps.maps/shared_prefs/settings_preference.xml
7	patrickhfox@gmail.com	Service Type: com.google Source File: data/data/com.android.providers.contacts/databases/contacts2.db
8	+17789518542	Entries: Phone: +17789518542 Source File: data/user_de/0/com.android.providers.telephony/databases/mmssms.db
9		Account Name: Patrick Fox Entries: User ID-User Id: 1617152383 Source File: userdata/Root/data/com.instagram.android/databases/direct.db Deleted: Yes
10	patrickhfox@gmail.com	Account Name: Patrick Fox Source File: data/data/com.google.android.apps.photos/shared_prefs/accounts.xml
11	patrickhfox@gmail.com	Service Type: com.google Password: aas_et/AKppINaj7DvYe-0L9HUOTwvGFsf6QPOTad- yrE2nIF3d00s5ql2f_0wcVE2AeFHYtVYcnL9oCZChSluzsvsUICFaufSFQViGwHM Gv4C3sDEmXBAA8aLfvA_o3UymWUMILxjtyTESnmSrab4p0njRlaaLFp__w0vYZ FZBs-LJAPxMcBp6BcwiPLz1O1MY9i-pzejA50hSLHfS5Mevk1Svng= Account Name: Patrick Fox Source File: data/system_ce/0/accounts_ce.db
12	patrickhfox@gmail.com	Service Type: com.google Source File: data/system_de/0/accounts_de.db

Firefox Searched Terms

#	Time	Entered Search Term
1	2022/05/13 06:27:52 PM	google webmas
2	2022/05/13 06:27:52 PM	google webmaster tools
3	2022/05/14 02:34:44 PM	Desiree Capuano
4	2022/05/14 02:35:03 PM	Desiree Capuano website
5	2022/05/14 02:35:19 PM	Desiree Capuano website
6	2022/05/14 02:36:04 PM	desicapuano.com
7	2022/05/14 02:36:48 PM	Desicapuano
8	2022/05/14 02:38:35 PM	desicapuano
9	2022/05/14 02:39:13 PM	desicapuano
10	2022/05/14 03:19:51 PM	desicapuano
11	2022/05/14 03:19:57 PM	desicapuano
12	2022/05/14 03:20:34 PM	Kyle dent detective
13	2022/05/14 03:21:03 PM	google webmast
14	2022/05/14 03:21:03 PM	google webmaster tools
15	2022/05/14 03:54:08 PM	desicapuano



VANCOUVER POLICE DEPARTMENT DIGITAL FORENSICS UNIT EXHIBIT SUBMISSION FORM

Each exhibit **MUST** have its own property tag AND a completed VPD 1369 Exhibit Submission Form.
Submit the completed form directly to DFU or email to DigitalForensicsUnit@vpd.ca

GO Number: 2022-66177 Date / Time of Submission July 15, 2022

Incident Type: Fail to Comply with Probation Order

Submitting Member Det. MCELROY PIN 2343 Team/Unit DVACH Team 2 Local 79048

Lead Investigator ☒ Same as Submitting Member Name & PIN _____ Local _____

Legal Authority to Search this Exhibit (COPY MUST BE ATTACHED)

☒ Warrant ☐ Consent Search Other (Explain) _____

EXHIBIT PREVIOUSLY VIEWED AND / OR ACCESSED BY ANYONE? ☒ NO ☐ YES

If yes, give reason why and by whom (attach separate page if required)

On May 16, 2022 I submitted the Levono Tablet to DFU for storage, this is included in this authorization

Have Charges Been Laid? ☐ NO ☒ YES If yes, Court Date _____ Next court date is July 21, 2022 - do not have final trial date yet

**DFU MUST BE NOTIFIED OF UPCOMING COURT DATES
TO ALLOW SUFFICIENT TIME TO PREPARE REPORTS FOR DISCLOSURE**

Description of Exhibit PO# _____ Exhibit # 2266177-1, 2266177-3, 2266177-4 cont'd.

2266177-5 & 2266177-6

Details of Examination Requested (attach separate page if required)

See attached 487 Search Warrant

PRIORITY #2 (TABLET EX: 2266177-2 priority #1)

Owner of Device is a: ☒ Suspect ☐ Victim ☐ Witness

Name: FOX, Patrick

DOB: 1973/11/24

Passcode (if known): he would not provide

Request Disposition After Examination

☒ Tag at Property Office ☐ Return to Submitting Member ☐ (Other Explain) _____

FOR DIGITAL FORENSICS UNIT USE ONLY

Received By 1724 Puyette Date 22-07-15 Time 1548h

Notes Locks 3, in RF Company 1623h, BIK Motorola PL, NO Power
41m22 1624 - Locking, 12- 893026 1010 500 6864295, 510 and 3000h
Imei- 358966 062724786 - with 1end, comp, con br, Exeuter 1628h

1774
Sergeant Robin Shook 2536

PO Tag 2266177-1
Motorola Moto X Play

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CERTIFIED TRUE COPY

A handwritten signature in black ink, appearing to be "JUL 15 2022", written over a circular stamp that says "Justice of the Peace".
Justice of the Peace

Vancouver Police File 2022-66177

Court Registry: Vancouver

IN THE PROVINCIAL COURT OF BRITISH COLUMBIA

IN THE MATTER of an Application for a Warrant to Search
Pursuant to Section 487 of the *Criminal Code* – Form 5

WARRANT TO SEARCH

TO: The Peace Officers in the Province of British Columbia:

WHEREAS it appears on the affirmation of Detective Constable Amber McElroy, a Peace Officer in the Province of British Columbia, affirmed on the 15th day of July, 2022;

THAT there are reasonable grounds for believing that the following offences have been committed:

- i) Two counts of Failure to Comply with Probation Order, contrary to section 733.1 of the *Criminal Code of Canada*.

(the "Named Offences")

AND THAT there are reasonable grounds for believing that the following items will afford evidence of the Named Offences:

- a) Exhibit 2266177-1: a Black Motorola Smart phone currently located in the Special Investigation Section ("SIS") secured locker #31 at 3585 Graveley Street, Vancouver;
- b) Exhibit 2266177-2: a Blue Levono Tablet S/N HGA9TE8G currently located in the Digital Forensics Unit ("DFU") at 1570 Kootenay Street, Vancouver;
- c) Exhibit 2266177-3: a Lexar USB currently located in SIS secured locker #31;
- d) Exhibit 2266177-4: Kingston USB currently located in SIS secured locker #31;
- e) Exhibit 2266177-5: a Sandisk Mini SD card with Lexar Adapter currently located SIS secured locker #31, and
- f) Exhibit 2266177-6: a Sandisk Mini SD card with Sandisk Adapter currently located in SIS secured locker #31.

The above Exhibits will be forensically examined for the following things/data:

- i. Emails from Patrick FOX to the editor of www.desicapuano.com between the dates of April 17, 2022, and May 5, 2022;
- ii. Communication between FOX and the editor of www.desicapuano.com and any other person relating to the offence, between the dates of April 17, 2022 and May 5, 2022;
- iii. User account information (that can be used to establish user's identity and the users of the digital device);
- iv. To determine ownership, use and evidence of the offence.

(the "Things/Data")

AND THAT there are reasonable grounds for believing that the said things/data are in Exhibits 2266177-1 up to and including 2266177-6 listed above, currently in police custody in the location stated.

THIS IS THEREFORE, to authorize and require Detective Constable Amber McElroy or her designate to enter the said premise between July 15, 2022, up to and including July 28, 2022.

And to search the cellular phone for the things/data and to bring them before me or some other justice, or submit a report in writing in respect of anything seized.

ISSUED BY

Issued at 2:00 pm, on July 15, 2022
(time) (date)

at Burnaby, British Columbia.
(city)

Name: C Osborn

C. Osborn
Judicial Justice

C Osborn
A Judicial Justice in and for the
Province of British Columbia
Assigned to the Justice Centre

Information to obtain the warrant to search is filed at the Vancouver Court Registry located at 222 Main Street, Vancouver in the Province of British Columbia.