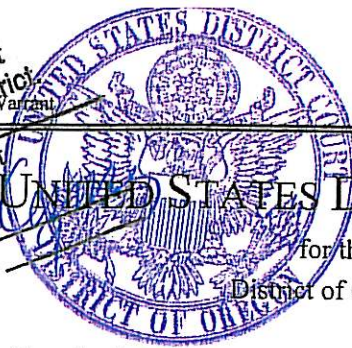


Certified to be a true and correct copy of original filed in this District
Dated 8/23/10
Mary L. Moran, Clerk of Court
US District Court of Oregon
By Deputy Clerk M. L. Through _____



UNITED STATES DISTRICT COURT

for the District of Oregon

In the Matter of the Search of _____)
(Briefly describe the property to be searched)
or identify the person by name and address))
Residence of CHESTER and TRACEY DAVIS)
16545 S. Archer Drive, Oregon City, OR 97045)
(further described in Attachment A-1))

Case No. **'10-MC-9178**

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the _____ District of _____ Oregon
(identify the person or describe the property to be searched and give its location):

Residence of CHESTER and TRACEY DAVIS, 16545 S. Archer Drive, Oregon City, OR 97045 (see Attach. A-1)

The person or property to be searched, described above, is believed to conceal (identify the person or describe the property to be seized):

See Attachment B

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property.

YOU ARE COMMANDED to execute this warrant on or before Sept 6, 2010
(not to exceed 14 days)

in the daytime 6:00 a.m. to 10 p.m. at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to United States Magistrate Judge Deity Magistrate Judge
(name)

I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box) for _____ days (not to exceed 30).
 until, the facts justifying, the later specific date of _____.

Date and time issued: Aug 23, 2010
at 3:09 pm
City and state: Portland, Oregon



Janice M. Stewart
Judge's signature

JANICE M. STEWART
US MAGISTRATE JUDGE

ATTACHMENT A-1

PREMISES TO BE SEARCHED

Based on the information contained in this affidavit, I am requesting a warrant to search the following locations:

Residence of CHESTER and TRACEY DAVIS

16545 S. Archer Drive

Oregon City, OR 97045

This residential house is located on S. Archer Drive. It is a tan house with a short, steep driveway. The top roof line of the house is covered in moss. The house has a dark colored trim. As you drive up the steep driveway there is an extremely large tree on the left hand side of the driveway and two additional large trees set back in on the property on the right hand side of the driveway.

ATTACHMENT B

ITEMS TO BE SEIZED

The items to be seized include the following books and records, documents, correspondence, files and other information pertaining to the business activities, income, expenses, taxable income and assets of CHESTER DAVIS, TRACEY DAVIS, their corporations, trusts and/or individuals who have assisted in the evasion of payment and assessment of the outstanding IRS income taxes listed as follows:

- a. ESA NW, Inc
- b. Energy Holding Company
- c. Electrical Systems Analysis
- d. Win Limited
- e. Wilderness Holdings
- f. Master Holdings
- g. Applied Technology
- h. High Desert Administration
- i. Americans for Lawful Financial Independence (ALFII)
- j. MY ICIS
- k. Wayne Hicks, Sr.
- l. Tony Dutson
- m. Micaela Dutson
- n. Bill Cardwell
- o. Julie Cardwell

and will be found in the locations set forth in Attachment A-1 and Attachment A-2, incorporated herein by reference, for the period beginning January 1, 1999 through the date of this search warrant, which constitute evidence, contrabrand, fruits and/or instrumentalities of violations of Title 18 U.S.C. § 371, Conspiracy to Defraud the United States; Title 26 U.S.C. § 7201, Evading the Payment and Assessment of IRS income taxes; Title 26 U.S.C. § 7212(a), Impair and Impede the Lawful Functions of the IRS; Title 26 U.S.C. § 7203, Failure to File Tax Returns; Title 18 U.S.C. § 514, Produce and/or Pass Fictitious Obligations:

a) Bank Account Records – All bank account records, checking, savings account, investment accounts, bonds, certificates of deposits, signature cards, wire transfers, EFT deposit and withdrawal information, deposit receipts, wire transfers, money orders, safe deposit box, loan documents, loan applications, loan payment records, official checks, foreign accounts in any foreign or domestic and any other bank related financial document related to CHESTER DAVIS, TRACEY DAVIS, ESA NW, Inc. and any of their other businesses/trusts/individuals noted above;

b) Tax manuals, tax literature, tax brochures, audio tapes, video tapes, CD's, information on tax seminars and research regarding the tax laws and/or the constitutionality of the United States tax laws;

c) Copies of federal and state tax returns (business and personal), tax preparation files, tax records such as forms 1099 and W-2 forms, 941's, 940's, IRS tax liens, IRS notices/correspondence, client information, correspondence written to the IRS by CHESTER and TRACEY DAVIS, any correspondence evidencing dealings with an accountant, tax preparer or other individual consulted or hired for the purposes of preparing the books and records of

CHESTER DAVIS, TRACEY DAVIS, Energy Holding Company, Electrical Systems Analysis, ESA NW Inc. and any company/trust/S-corp/corporation/or individual noted above;

d) Records, information or documents that reflect the receipt and disposition of funds or property, cars, boats, any vehicle, any and all other assets including foreign properties owned and sold;

e) Applications for credit, financial statements, credit files and all records relating to credit applications, credit accounts, credit cards, loan applications, cash, and loans, title documents, rental documents, rental agreements, utility bills, telephone bills, addressed mail and purchase receipts;

f) Records of purchase or dispositions of cashiers checks, money orders, wire transfers and other negotiable instruments;

g) Safe deposit box records and safe deposit box keys for any box maintained by CHESTER DAVIS, TRACEY DAVIS, ESA NW, Inc and/or any of the above corporations/trusts;

h) Cash and currency including any packaging, bundling or notations, jewels, gold, silver, gold bars/coins and silver bars/coins or other negotiable instruments as evidence of the evasion of the payment of income tax and the accumulation of proceeds of such evasion;

i) Photos, passports, photo identification and other identification for CHESTER DAVIS and TRACEY DAVIS;

j) Records relating to the locations of mail drops, mail box facilities and post office boxes;

k) Shipping records, mailing records, certified mailing receipts, air bills, shipping labels, applications, billing statements, and correspondence, which was delivered by private contract mail carriers and/or the US Postal Service;

l) Telephone records & cell phone records, including itemized billing and individual toll records, address books, telephone books, cell phone and address books, personal digital assistants, and rolodex;

m) Printouts of facsimile transmissions sent and received concerning CHESTER DAVIS, TRACEY DAVIS and the related businesses noted above;

n) Sales journals, general ledgers, general journals, purchase journals, summaries, reconciliations, work papers relating to revenues, expenses, contracts, invoices, accounts receivable, accounts payable, assets, liabilities, owners equity, purchase of goods for resale, depreciation of assets, amortization of intangible assets, inventories of goods, materials, supplies and products, payroll information, employees withholdings, monthly reports and other business bookkeeping and accounting records for any of the corporations/trusts/individuals listed above;

o) Invoices, statements, receipts, documents, records or other items that reflect receipt of income or funds, payment of expenses or liabilities, accumulation or disposal of assets and any other item produced reflecting business or income producing transactions for corporations/trusts/individuals listed above;

p) Financial statements, including income statements, balance sheets, and statements of retained earnings, and cash flow statements;

q) Documents relating to corporate or business history of any assumed business name or entity including the corporate minute book, incorporation documents, stock transfer register, and corporate dissolution documents.

Digital Evidence:

r) All computers, including any electronic or digital device capable of storing and/or processing data in digital form, including central processing units; laptop or notebook computers; personal digital assistants; wireless communication devices such as telephone paging devices, beepers, and cellular telephones; peripheral input/output devices such as keyboards, printers, scanners, plotters, monitors, and drives intended for removable media; related communication devices such as modems, routers, cables, and connections; storage media; and security devices;

s) Any equipment used to facilitate the transmission, creation, display, encoding, or storage of digital data;

t) Any magnetic, electronic, or optical storage device capable of storing data, such as floppy disks, hard disks, tapes, CD-ROMs, CD-Rs, CD-RWs, DVDs, optical disks, printer or memory buffers, smart cards, PC cards, memory calculators, electronic dialers, and electronic notebooks;

u) Any documentation, operating logs, and reference manuals regarding the operation of the digital device or software used in the digital device;

a. *On-site search, if practicable.* Law enforcement officers trained in computer forensics (hereafter, “computer personnel”), if present, may be able to determine if digital devices can be searched on-site in a reasonable amount of time and without jeopardizing the ability to preserve data on the devices. If such an on-site search can be conducted, it shall be conducted by law enforcement personnel not otherwise assigned to the investigation of the instant case (hereafter referred to as the “CDT Review Team”). Any device searched on-site will be seized only if it contains data falling within the list of items to be seized as set forth herein.

b. *On-site imaging, if practicable.* If a digital device cannot be searched on-site as described above, the computer personnel, if present, will determine whether the device can be imaged on-site in a reasonable amount of time without jeopardizing the ability to preserve the data.

c. *Seizure of digital devices for off-site imaging and search.* If no computer personnel are present at the execution of the search warrant, or if they determine that a digital device cannot be searched or imaged on-site in a reasonable amount of time and without jeopardizing the ability to preserve data, the digital device will be seized and transported to an appropriate law enforcement laboratory for review. The device, or a forensic image thereof, will be reviewed by a CDT Review Team member.

d. The CDT Review Team will examine the digital device to extract and seize any data that falls within the list of items to be seized as set forth herein. The CDT Review Team will seize data that falls within the scope of the items to be seized pursuant to the warrant. To the extent that the CDT Review Team discovers data that

warrant, it may seek an extension of the time period from the Court within the original 120 day period from the date of execution of the warrant.

g. If an original digital device does not contain any data falling within the list of items to be seized pursuant to this warrant, the government will return that original data device to its owner within a reasonable period of time following the search of that original data device, absent further authorization from the Court.

h. Individuals assigned to investigate the instant case shall not review data contained in the original digital devices or images that do not fall within the scope of the items to be seized, except by order of the Court.

Inventory Listing of All Items Seized at Search Warrant Site

Site Name: 16545 S. Archer Drive Oregon City, OR 97045 Chester Davis Residence	Investigation Number: 1000232743 Starting Date and Time: 08/31/2010 10:09 AM Ending Date and Time: 08/31/2010 02:30 PM	Report Date: Tuesday, August 31, 2010
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Control #:	1	Evidence Box:	1
Location:	Living Rm 2/Laundry	Locator Code:	
Found:	In fanny pack on Lazy Boy chair		
Description:	Seized Per Warrant Photo ID for Chester (x3)		
<hr/>			
Control #:	2	Evidence Box:	1
Location:	Living Rm 2/Laundry	Locator Code:	
Found:	In fanny pack on Lazy Boy chair		
Description:	Seized Per Warrant U.S. Currency		
<hr/>			
Control #:	3	Evidence Box:	2
Location:	Living Rm 2/Laundry	Locator Code:	
Found:	In fanny pack on Lazy Boy chair		
Description:	Seized Per Warrant Thumb drives (x10)		
<hr/>			
Control #:	4	Evidence Box:	3
Location:	Kitchen	Locator Code:	
Found:	Top drawer left of Stove		
Description:	Seized Per Warrant Address book, misc. papers w/names and numbers; auto insurance cards		
<hr/>			
Control #:	5	Evidence Box:	1
Location:	Bedroom 1	Locator Code:	
Found:	In safe		
Description:	Seized Per Warrant Envelopes w/cash per subject		
<hr/>			
Control #:	6	Evidence Box:	3
Location:	Bedroom 2	Locator Code:	
Found:	Top of desk in filing drawer		
Description:	Seized Per Warrant Photo ID, evidence of cash purchases		
<hr/>			
Control #:	7	Evidence Box:	4
Location:	Garage	Locator Code:	
Found:	On top of boxes in Garage		
Description:	Seized Per Warrant Law info binder, folder called Dad's property (Sept '02), various legal binders		

Control #:	8	Evidence Box:	1
Location:	Bedroom 1	Locator Code:	
Found:	In safe		
Description:	Seized Per Warrant	Currency	
Control #:	9	Evidence Box:	3
Location:	Bedroom 1	Locator Code:	
Found:			
Description:	Seized Per Warrant		
Control #:	10	Evidence Box:	3
Location:	Bedroom 1	Locator Code:	
Found:	In Safe		
Description:	Seized Per Warrant	ID documents, law info	
Control #:	11	Evidence Box:	3
Location:	Garage	Locator Code:	
Found:	Top of filing cabinet by freezer		
Description:	Seized Per Warrant	Tax research re: US tax laws and constitutionality, Dutson court filings, Chet Davis composed banking law memo	
Control #:	12	Evidence Box:	3
Location:	Garage	Locator Code:	
Found:	On boxes on pallet		
Description:	Seized Per Warrant	Correspondence w/IRS fiduciary folders for MYICIS	
Control #:	13	Evidence Box:	3
Location:	Garage	Locator Code:	
Found:	On boxes on pallet		
Description:	Seized Per Warrant	Correspondence w/IRS fiduciary folders, folders for MYICIS	
Control #:	14	Evidence Box:	6
Location:	Garage	Locator Code:	
Found:	On top of white tub		
Description:	Seized Per Warrant	Tax court docs, IRS & Clackamas County related docs/notices; Cardwell correspondence; manuals, misc. docs	
Control #:	15	Evidence Box:	7
Location:	Garage	Locator Code:	
Found:	On pallet		
Description:	Seized Per Warrant	IRS correspondence, ESA audit folders, ESA folders 2000-2002	

Control #:	16	Evidence Box:	8
Location:	Garage	Locator Code:	
Found:	On Floor		
Description:	Seized Per Warrant IRS correspondence, bank records		
Control #:	17	Evidence Box:	9
Location:	Garage	Locator Code:	
Found:	Back Shelf		
Description:	Seized Per Warrant IRS seminar videos and manuals		
Control #:	18	Evidence Box:	10
Location:	Garage	Locator Code:	
Found:	Amongst Food boxes		
Description:	Seized Per Warrant Court docs related to IRS and Oregon DOR; Clackamas Co. docs, registered mail record book, misc records/manuals		
Control #:	19	Evidence Box:	11
Location:	Garage	Locator Code:	
Found:	On pallet		
Description:	Seized Per Warrant ESA accounting records for 2007, seminar papers, OID documents		
Control #:	20	Evidence Box:	12
Location:	Garage	Locator Code:	
Found:	Front end of garage		
Description:	Seized Per Warrant 2000 - 2002 Accounting records		
Control #:	21	Evidence Box:	5
Location:	Garage	Locator Code:	
Found:	In filing cabinets		
Description:	Seized Per Warrant Davis IRS letters '08, tithe folder; tax research; Chester notice of non-residency; Applied Tech Feb '00-Aug '00 bank statements; Wilderness Holdings Feb-Aug '00 bank statements; folder John Day property; Davis bank statements from 2001, 2000, 2003, 2002; ESA & ICIS correspondence, Attachment to 1040x-1999; folder 2001 deductions; folder IRS 1040V; publication "Secrets to Living a Tax Free Life"; binder CDP Hearing for ESA 941 5/01/06; folder CED-Social Security; folder "Informer" re: tax research; wedding folder reflecting disposition of funds		
Control #:	22	Evidence Box:	13
Location:	Garage	Locator Code:	
Found:	Middle of Garage on Floor		
Description:	Seized Per Warrant Payroll & ADP records for ESA, Inc., 2000-2001		

Control #:	23	Evidence Box:	14
Location:	Garage	Locator Code:	
Found:	On Floor of Garage		
Description:	Seized Per Warrant	US Treasury check dated 6/28/02; trust info; correspondence to IRS; correspondence from Chester Davis; WAMU official check	
Control #:	24	Evidence Box:	15
Location:	Garage	Locator Code:	
Found:	On floor in middle		
Description:	Seized Per Warrant	Business docs & correspondence for ESA	
Control #:	25	Evidence Box:	16
Location:	Garage	Locator Code:	
Found:	On floor in middle		
Description:	Seized Per Warrant	Business documents and correspondence for ESA	
Control #:	26	Evidence Box:	3
Location:	Bedroom 1	Locator Code:	
Found:	On top of Desk		
Description:	Seized Per Warrant	Binder - ESA Inc. Supply Ordering Info	
Control #:	27	Evidence Box:	2
Location:	Bedroom 1	Locator Code:	
Found:	Bookcase near doorway		
Description:	Seized Per Warrant	My passport external hard drive	
Control #:	28	Evidence Box:	17
Location:	Bedroom 1	Locator Code:	
Found:	Bookcase near window		
Description:	Seized Per Warrant	Tax research (binder of)	
Control #:	29	Evidence Box:	17
Location:	Bedroom 1	Locator Code:	
Found:	Bookcase near doorway		
Description:	Seized Per Warrant	ICIS default judgment '07	
Control #:	30	Evidence Box:	17
Location:	Bedroom 1	Locator Code:	
Found:	Desk drawer		
Description:	Seized Per Warrant	Wilderness Holdings cert of insurance, 2010 giving statements, deck receipts	

Control #:	31	Evidence Box:	1
Location:	Kitchen	Locator Code:	
Found:	Kitchen counter in purse		
Description:	Seized Per Warrant Photo identification for Tracy Jean Davis - Basileia Duranos Drivers License & National ID, His holy Church ID		
Control #:	32	Evidence Box:	17
Location:	Bedroom 1	Locator Code:	
Found:	Top of Desk under window		
Description:	Seized Per Warrant Constitutional Argument Handbook		
Control #:	33	Evidence Box:	17
Location:	Bedroom 1	Locator Code:	
Found:	Top Shelf of bookcase		
Description:	Seized Per Warrant The Grand Writ of Liberty Theory and Practice		
Control #:	34	Evidence Box:	17
Location:	Bedroom 1	Locator Code:	
Found:	On Bookshelf		
Description:	Seized Per Warrant Various books anti-tax/government		