

EXHIBIT C

FILED

2018 NOV 30 P 2:01

THE SUPERIOR COURT OF CALIFORNIA
SANTA CLARA COUNTY JUDICIAL DISTRICT

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PEOPLE OF THE STATE OF CALIFORNIA,)
)
Plaintiff,)
)
vs.)
)
NICHOLAS ST DENIS TRUGLIA)
)
Defendant.)

Docket no. C1806134
AFFIDAVIT IN SUPPORT OF
REQUEST TO EXAMINE
SOURCE OF BAIL
(P.C. §1275.1)
CLERK OF THE COURT
COURT OF SANTA CLARA
BY DEPUTY
PIANA G. HERRERAZ

I, Detective Caleb Tuttle, declare as follows:

I am a law enforcement officer employed by the Santa Clara County Office of the Sheriff.

I have worked as a law enforcement officer for approximately 13 years. I have conducted high tech and financial investigations for approximately one year. I am the investigating officer in the above-entitled matter.

The defendant, Nicholas Truglia, is under investigation for the theft of cryptocurrency (such as Bitcoin) accomplished through computer network intrusion. He is suspected of stealing cryptocurrency valued in excess of \$1,000,000. The Santa Clara County Office of the District Attorney has filed Docket #C1806134 which includes 21 felony charges of 530.5(a) PC, 502(c)(1)(a) PC, 487(a) PC, as well as an excessive taking enhancement pursuant to 186.11 PC, and a warrant was issued with a bail amount of \$1,000,000. Truglia has been arrested for that warrant and was found in possession, at the time of his arrest, of physical evidence linking him directly to the mobile communication device used to perpetrate one of the account takeovers for which he has been criminally charged. He also provided a post-Miranda statement in which he admitted to participating directly in a conspiracy of network intrusion, identity theft, and grand

1 theft involving other individuals. He claimed to have received only a small portion of the stolen
2 funds and denied having any liquid assets at this time. However, investigators then found him to
3 be in possession of a cryptocurrency "hardware wallet" containing in excess of \$300,000 worth
4 of cryptocurrency which was subsequently seized pursuant to a search warrant. In addition,
5 Truglia's cell phone, which was searched pursuant to a search warrant, contained images that
6 appeared to depict a photograph of his laptop computer showing a software cryptocurrency
7 wallet with a balance in excess of \$1,000,000. He refused to provide investigators with the
8 passcode to unlock his laptop computer on which this software wallet is believed to reside, in
9 spite of being confronted with a search warrant permitting a lawful search of that device.

10 His cell phone also contained records of communications in which he bragged about how
11 much money he had, and did not deny accusations that it was all obtained through theft. In spite
12 of his apparent lack of legitimate employment, Truglia lives in a luxury high-rise apartment in
13 Manhattan. In spite of the fact that Truglia in fact possessed hundreds of thousands of dollars in
14 cryptocurrency, the management of his apartment complex advised investigators that Truglia
15 owed tens of thousands of dollars in unpaid rent and was in the process of being evicted.
16 Truglia's cell phone also contained communications between Truglia and his father in which
17 they discussed Truglia's father having no money, and Truglia paying for things for his father
18 because of this fact.

19 Based on the facts of the investigation, I believe substantially all of the monetary or
20 digital assets to which Truglia has access were obtained through theft. I also know that his co-
21 conspirators likely have access to hundreds of thousands or millions of dollars of stolen funds,
22 and may be motivated to help Truglia remain out of custody in order to protect themselves.

23 Based on the above facts, I believe Truglia may have access to cash or cash equivalents
24 from illicit sources. Because of his recent criminal activity and the other facts set forth above, I

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am concerned that he may attempt to use the proceeds of criminal activity to contribute toward bail. For these reasons I believe probable cause exists to believe that the source of any bail posted by this defendant is feloniously obtained. Thus, I request this court issue an order to examine the source of any bail posted, pursuant to Penal Code Section 1275.1.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATED: November 30, 2018



Affiant