St. Mary's Law Journal

Volume 3 | Number 1 Article 4

3-1-1971

Search Warrants: The Requisites of Validity.

Michael J. McCormick

Follow this and additional works at: https://commons.stmarytx.edu/thestmaryslawjournal

Part of the Criminal Procedure Commons

Recommended Citation

Michael J. McCormick, *Search Warrants: The Requisites of Validity.*, 3 ST. MARY'S L.J. (1971).
Available at: https://commons.stmarytx.edu/thestmaryslawjournal/vol3/iss1/4

This Article is brought to you for free and open access by the St. Mary's Law Journals at Digital Commons at St. Mary's University. It has been accepted for inclusion in St. Mary's Law Journal by an authorized editor of Digital Commons at St. Mary's University. For more information, please contact egoode@stmarytx.edu, sfowler@stmarytx.edu.

SEARCH WARRANTS: THE REQUISITES OF VALIDITY

MICHAEL J. McCORMICK*

Ten years have passed since the United States Supreme Court's holding that evidence seized in violation of the fourth amendment is inadmissible in state courts.[1] It had long been the federal rule that the fifth amendment protects every person against incrimination by the use of evidence obtained through search or seizure made in violation of his rights under the fourth amendment.[2] All searches, whether of a person, a vehicle, or a dwelling, and whether with or without a warrant, must now be made in accordance with the fourth amendment and minimum standards which have been set by the Supreme Court.[3]

The validity of any search is determined by the existence of probable cause. It is the primary purpose of this article to outline the requirements of a valid search warrant with particular emphasis upon the affidavit which shows probable cause for the issuance of the warrant. In an effort to limit the discussion no attempt will be made to discuss the conditions and limitations on the right to search and seize without a warrant. Our discussion shall be limited to those cases which discuss the validity of a search warrant.

CONSTITUTIONAL REQUISITES

The state and federal constitutional provisions which protect the people from unreasonable searches and seizures are identical for all practical purposes.[4] Within these constitutional provisons are requirements that a search warrant, to be valid, must:

1. Describe with particularity the place to be searched;
2. Describe the persons or things to be seized;
3. Be based on the existence of probable cause to search;

---

* Briefing Attorney Court Criminal Appeals, 1970-1971, B.A. University of Texas, 1967, J.D., St. Mary's University, 1970.

1 Mapp v. Ohio, 367 U.S. 643, 81 S. Ct. 1684, 6 L. Ed.2d 1081 (1961).

2 Agnello v. United States, 269 U.S. 20, 46 S. Ct. 47, 70 L. Ed. 145 (1925).

3 Kerr v. California, 374 U.S. 23, 83 S. Ct. 1623, 10 L. Ed.2d 726 (1963).

4 U.S. CONST. amend. IV as follows:

> The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

TEX. CONST. art. I, § 9, as follows:

> The people shall be secure in their persons, houses, papers and possessions, from all unreasonable seizures or searches, and no warrant to search any place, or to seize any person or thing, shall issue without describing as near as may be, nor without probable cause, supported by oath or affirmation.

Published by Digital Commons at St. Mary's University, 1971

4. Be based on sworn oath or affirmation that such probable cause exists.

In Texas, these provisions have been codified in Chapter Eighteen of the Code of Criminal Procedure.[5] Further, Article 1.06 of the Code has been enacted verbatim from Article I, Section 9 of the Texas Constitution.[6]

Of the four constitutional requisites listed above, that of an oath or affirmation is the *sine qua non* of the search warrant for without it no warrant may issue. The sworn oath or affirmation, which is more commonly called the search warrant affidavit, must contain each of the three other requisites: it must set forth a description of the place to be searched; a description of the kind of property allegedly concealed; the name, if known, of the person in charge of such place; and facts which establish that probable cause exists for the issuance of the search warrant.[7]

To be valid, the warrant must describe with accuracy the place suspected, the property which is allegedly concealed, and the name or description of the person accused of having charge of the suspected place.[8] It may therefore be said that the affidavit and the warrant must contain the same averments except for one aspect: the warrant need not contain the facts which show the existence of probable cause. As to the sufficiency of the description of the place to be searched, the objects to be seized, or the persons in control of the premises, the test is the same whether the averments appear in the warrant or the affidavit.

Sufficiency of Descriptions

In holding inadmissible in state courts all evidence obtained by searches and seizures in violation of the Constitution[9] the Supreme Court thereby made its decisions pertaining to search warrants the minimum standards for the states. It is by these standards that the averments in search warrants and affidavits supporting them must be measured.

Description of Place to be Searched

The constitutions require that search warrants particularly describe the place to be searched.[10] A like requirement pertains to the

[5] Tex. Code Crim. Proc. Ann. ch. 18 (1965).
[6] Tex. Code Crim. Proc. Ann. art. 1.06 (1965).
[7] Tex. Code Crim. Proc. Ann. art. 18.08 (1965).
[8] Tex. Code Crim. Proc. Ann. art. 18.13 (1965).
[9] Mapp. v. Ohio, 367 U.S. 643, 81 S. Ct. 1684, 6 L. Ed.2d 1081 (1961).
[10] U.S. Const. amend. IV; Tex. Const. art. I, § 9.

affidavit.[11] The problem which typically arises in connection with the description of the place to be searched is whether the description is sufficient as "particularly describing" such place.

In 1925 *Steele v. United States*[12] adopted the following test which is still the criterion today:

> It is enough if the description is such that the officer with a search warrant can with reasonable effort ascertain and identify the place intended.[13]

Similarly the Texas Court of Criminal Appeals has adopted the rule that a warrant, though it must particularly describe the place to be searched, need not be precise or technically accurate in its description; the sole requirement being that there be sufficient definiteness to enable the officer to locate the property and distinguish it from other places in the community.[14] The description, whether in the warrant or in the affidavit incorporated in the warrant, must be complete on its face. The testimony of the officer executing the search cannot cure the omission in the search warrant of the description of the place to be searched.[15]

Normally, the search warrant will describe the premises to be searched by street, number and city, and an omission of any of these will make the warrant invalid.[16] In aiding the property description given in a search warrant the occupancy and ownership of the premises as stated in the affidavit may be looked to.[17] However, proof of occupancy and ownership cannot dispense with the necessity of accurately describing the premises to be searched.[18]

Description of Persons or Things to be Seized

The second requisite is that a search warrant particularly describe the persons or things to be seized.[19] General searches are impossible under this requirement and prevents the seizure of one thing under a warrant describing another.[20] The officer executing the warrant has no

[11] TEX. CODE CRIM. PROC. ANN. art. 18.08 (1965).
[12] Steele v. United States, 267 U.S. 498, 45 S. Ct. 414, 69 L. Ed. 757 (1925).
[13] *Id.* at 503, 45 S. Ct. at 416, 69 L. Ed at 760.
[14] Rhodes v. State, 116 S.W.2d 395 (Tex. Crim. App. 1938).
[15] Miller v. State, 114 S.W.2d 244 (Tex. Crim. App. 1938).
[16] Helton v. State, 300 S.W.2d 87 (Tex. Crim. App. 1957); *see* 51 TEX. JUR. 2d, *Searches and Seizures* §§ 19-21 (1970).
[17] Gaines v. State, 279 S.W.2d 96 (Tex. Crim. App. 1955).
[18] Helton v. State, 300 S.W.2d 87 (Tex. Crim. App. 1957). For a collection of cases, *see* 51 TEX. JUR. 2d, *Searches and Seizures* §§ 19-21 (1970).
[19] U.S. CONST. amend. IV; TEX. CONST. art. I, § 9; Trupiano v. United States, 334 U.S. 699, 68 S. Ct. 1229, 92 L. Ed. 1663 (1948).
[20] Marron v. United States, 275 U.S. 192, 48 S. Ct. 74, 72 L. Ed. 231 (1927).

St. Mary's Law Journal, Vol. 3 [1971], No. 1, Art. 4

discretion regarding what is to be taken.[21] *Stanford v. Texas*[22] is illustrative of this rule. Pursuant to Article 6889-3a,[23] Section 9, a Texas district judge issued a search warrant authorizing the seizure of "books, records, pamphlets, cards, receipts, lists, memoranda, pictures, recordings and other written instruments concerning the Communist Party of Texas, and the operations of the Communist Party in Texas." The Supreme Court held that the indiscriminate sweep of the language was constitutionally intolerable because it amounted to a general search.[24] *Stanford,* like many cases before it, makes clear that the purpose of requiring such specificity is to safeguard the privacy and security of individuals against arbitrary invasions by governmental officials.[25]

Despite the holding in *Stanford* it is still the rule in Texas that a general description of the property searched for is all that is required.[26] It must be remembered, however, that without statutory authority a search warrant to seize particular items is invalid.[27]

In addition to describing the objects to be seized, the warrant must also name or describe the person or persons who occupy or control the premises.[28] However, if neither the name nor description is known by the affiant the warrant will still be valid if it reflects that the person in charge of the premises is unknown.[29]

Probable Cause in The Search Warrant Affidavit

In determining the adequacy of a search warrant, the most difficult problems usually arise in respect to the affidavit. For a warrant to issue there must be a showing of "probable cause" in the affidavit. At an early date it was said that "probable cause" meant less evidence than would justify "condemnation."[30] While discussing a "certificate of probable cause," the Supreme Court, in 1878, created the following test for probable cause:

> If the facts and circumstances before the officer are such as to warrant a man of prudence and caution in believing that the offense has been committed, it is sufficient.[31]

---

[21] *Id.*
[22] Stanford v. Texas, 379 U.S. 476, 85 S. Ct. 506, 13 L. Ed.2d 431 (1965).
[23] TEX. REV. CIV. STAT. ANN. art. 6889-3a, § 9 (1960).
[24] Stanford v. Texas, 379 U.S. 476, 85 S. Ct. 506, 13 L. Ed.2d 431 (1965).
[25] *Id. See also* Camara v. Municipal Court, 387 U.S. 523, 87 S. Ct. 1727, 18 L. Ed.2d 930 (1967), and Berger v. New York, 388 U.S. 41, 87 S. Ct. 1873, 18 L. Ed.2d 1040 (1967).
[26] Trevino v. State, 380 S.W.2d 118 (Tex. Crim. App. 1963).
[27] Greenway v. State, 101 S.W.2d 569 (Tex. Crim. App. 1937).
[28] U.S. CONST. amend. IV; TEX. CONST. art. I, § 9.
[29] Trevino v. State, 380 S.W.2d 118 (Tex. Crim. App. 1963).
[30] Locke v. United States, 11 U.S. (7 Cranch) 339, 3 L. Ed. 364 (1813).
[31] Stacey v. Emery, 97 U.S. (7 Otto) 642, 645, 24 L. Ed. 1035, 1036 (1878). *See also*

As it relates to search warrant affidavits, this is still the test today.[32] However, whether or not the proof meets this test must be determined by the circumstances of each case.[33] The averments upon which this proof is based must be facts and not mere conclusions, beliefs or suspicions of the affiant.[34] Further, the final determination of whether probable cause exists must be made by a neutral and detached magistrate.[35] Therefore, the affiant must state not only his belief that probable cause exists, but also the facts upon which his conclusion is based.[36] It should also be pointed out that a finding of probable cause, though it must be based on factual allegations, may rest upon evidence which is not legally competent in a criminal case.[37]

The affiant must state information from which the magistrate may conclude that probable cause exists.[38] This information may be of three types:

1. Entirely hearsay (which is commonly the result of a "tip" from an informer);
2. Entirely facts within the personal knowledge of the affiant; or,
3. A combination of hearsay and facts within the affiant's knowledge.

Few problems arise when a warrant is based on facts within the knowledge of the affiants as long as the affidavit reflects facts and not mere conclusions. Therefore, the discussion will be addressed primarily to those instances in which the warrant is based in whole or in part on hearsay.

The Hearsay Warrants

In *Jones v. United States*,[39] the Court held that hearsay could be the basis for a warrant as long as there was a "substantial basis for crediting the hearsay." Later, in *Aguilar v. Texas*,[40] the Court elabo-

Dumbra v. United States, 268 U.S. 435, 45 S. Ct. 546, 69 L. Ed. 1032 (1925), and Carroll v. United States, 267 U.S. 132, 45 S. Ct. 280, 69 L. Ed. 543 (1925).

32 *Cf.* Draper v. United States, 358 U.S. 307, 79 S. Ct. 329, 3 L. Ed.2d 327 (1959) searches without a warrant.

33 Sgro v. United States, 287 U.S. 206, 53 S. Ct. 138, 77 L. Ed. 260 (1932).

34 Nathanson v. United States, 290 U.S. 41, 54 S. Ct. 11, 78 L. Ed. 159 (1933).

35 Spinelli v. United States, 393 U.S. 410, 89 S. Ct. 584, 21 L. Ed.2d 637 (1969); Giordenello v. United States, 357 U.S. 480, 78 S. Ct. 1245, 2 L. Ed.2d 1503 (1958); Johnson v. United States, 333 U.S. 10, 68 S. Ct. 367, 92 L. Ed. 436 (1948).

36 This rule adopted in Texas in Dupree v. State, 102 Tex. 455, 119 S.W. 301 (1909).

37 McCray v. Illinois, 386 U.S. 300, 87 S. Ct. 1056, 18 L. Ed.2d 62 (1967); Draper v. United States, 358 U.S. 307, 79 S. Ct. 329, 3 L. Ed.2d 327 (1959).

38 Giordenello v. United States, 357 U.S. 480, 78 S. Ct. 1245, 2 L. Ed.2d 1503 (1958).

39 362 U.S. 257, 80 S. Ct. 725, 4 L. Ed.2d 697 (1960).

40 Aguilar v. Texas, 378 U.S. 108, 84 S. Ct. 1509, 12 L. Ed.2d 723 (1964).

St. Mary's Law Journal, Vol. 3 [1971], No. 1, Art. 4

rated upon the *Jones* decision by setting out a test by which search warrant affidavits based solely on hearsay were to be measured. The test, which has come to be known as the two "prongs" of *Aguilar*, made clear what the Court meant by "a substantial basis for crediting the hearsay":

> Although an affidavit may be based on hearsay information and need not reflect the direct personal observations of the affiant . . ., the magistrate must be informed of *(1)* some of the underlying circumstances from which the informant concluded that the narcotics were where he claimed they were, and *(2)* some of the underlying circumstances from which the officer concluded that the informant . . . was "credible" or his information "reliable."[41]

Thus, to support a search warrant based on information which is hearsay to the affiant, an affidavit must exhibit the observations made by the informant from which the informant concluded that the items to be searched for are where he alleges them to be. Further, the affiant must express in the affidavit his reasons for believing the informer to be credible and reliable. Should the affidavit fail to reveal this information, then a warrant based upon it is void and any evidence seized as a result of a search based on such warrant is inadmissible.[42]

THE COMBINATION WARRANTS

In *Spinelli v. United States*,[43] the Court discussed a search warrant based upon a combination of facts within the affiant's knowledge and hearsay from an informant's tip and then set out a test for the sufficiency of such warrants which embraced the holding of *Aguilar*. The Court held that corroborating facts from police observation will make a hearsay affidavit valid even if it does not meet the requirements of *Aguilar* provided the corroborating facts show probable cause to the extent that:

> 1. Independent observations by the affiant corroborate sufficient details of the tip to negate the possibility that the informer fabricated his report, *or*
> 2. Independent observations by the affiant contribute to a showing of probable cause by revealing not merely patterns of activity but activity that reasonably arouses suspicion.[44]

---

41 *Id.* at 114. It is also the rule that an affidavit based on double hearsay will be sufficient if the affiant can show that his informant is reliable. Jaben v. United States, 381 U.S. 214, 85 S. Ct. 1365, 14 L. Ed.2d 345 (1965).

42 Aguilar v. Texas, 378 U.S. 108, 84 S. Ct. 1509, 12 L. Ed.2d 723 (1964).

43 Spinelli v. United States, 393 U.S. 410, 89 S. Ct. 584, 21 L. Ed.2d 637 (1969).

44 *Id.*

https://commons.stmarytx.edu/thestmaryslawjournal/vol3/iss1/4

The Court held:

> The informer's report must first be measured against *Aguilar*'s standards so that its probative value can be assessed. If the tip is found inadequate under *Aguilar*, the other allegations which corroborate the information contained in the hearsay report should then be considered. At this stage as well, however, the standards enunciated in *Aguilar* must inform the magistrate's decision. He must ask: Can it fairly be said that the tip, even when certain parts of it have been corroborated by independent sources, is as trustworthy as a tip which would pass *Aguilar*'s tests without independent corroboration? *Aguilar* is relevant at this stage of the inquiry as well because the tests it establishes were designed to implement the long-standing principle that probable cause must be determined by a "neutral and detached magistrate," and not by "the officer engaged in the often competitive enterprise of ferreting out crime." *Johnson v. United States*, 333 U.S. 10, 14 (1948). A magistrate cannot be said to have properly discharged his constitutional duty if he relies on an informer's tip which—even when partially corroborated—is not as reliable as one which passes *Aguilar*'s requirements when standing alone.[45]

As a result of *Spinelli*, an affidavit which fails to meet the requisites of *Aguilar* may still be salvaged if it reveals sufficient facts on the affiant's own observations or knowledge. If the affidavit shows adequate circumstances warranting a conclusion that the informant is reliable but fails to show circumstances which would warrant the informant's conclusion that the proscribed activity in fact exists, then these missing circumstances may be supplied by the affiant from personal observations which reveal suspicious activity that coincides with the tip given by the informant. Likewise, if the affidavit states detailed facts which are the result of the informant's personal observations but does not show circumstances which would warrant a conclusion that the informant is reliable, then the results of the affiant's observations, if they coincide with the details furnished by the informant, will supply the requisite reliability to make the warrant valid.

TEXAS AFTER AGUILAR AND SPINELLI

Since their rendition, the Texas Court of Criminal Appeals has had diverse opportunities to interpret and apply the decisions of *Aguilar* and *Spinelli*. *Gaston v. State*[46] was the first such opportunity.

---

[45] *Id.* at 415, 89 S. Ct. at 588, 21 L. Ed. 2d at 643.
[46] Gaston v. State, 440 S.W.2d 297 (Tex. Crim. App. 1969).

The affidavit which came under scrutiny in *Gaston* appears, at first blush, to be based entirely on hearsay.[47] The majority apparently held that even though the affidavit did not reflect facts and circumstances upon which the affiants based their conclusion that the informant was reliable and credible, it contained sufficient details of first hand knowledge of the informant which, when combined with the affiant's own *conclusions,* gave the information reliability.

As pointed out in the concurring opinion in *Gaston,* if this is the true interpretation of the majority then the affidavit should be insufficient because it fails to reveal facts which support the affiant's conclusions. But the concurring opinion finds the affidavit sufficient because it shows that the affiants had "personal knowledge" of the place to be searched and the party allegedly in control sufficient to corroborate the informer's tip and show the informer to be reliable. This conclusion is, likewise, arguably erroneous because the statements by the affiants are merely "bald and unilluminating assertions," unsupported by a showing of facts from which the asserted "personal knowledge" was deduced.

It could be argued that *Gaston* was correct because the Supreme Court denied certiorari. However, the concurring opinion in *Gaston* points out what was probably the correct reason why certiorari was finally denied: *United States v. Ventresca.*[48]

---

47 The affidavit in *Gaston v. State,* omitting the formal parts, is as follows:

Before me, the undersigned authority, on this day personally appeared the undersigned affiants, who being by me severally sworn, upon their oaths state, that: A certain building, house and place, occupied and used as a private residence, located in Austin, Travis County, Texas described as white frame two story house located at 608 East 19½ Street, Austin, Travis County, Texas, with the bottom apartment, which is to be searched, facing and being entered from 19½ Street, and being the building, house or place of Sharland Elizabeth Reeves, W-F approximately 20, 5' 6", Brown hair with bangs, blue eyes and other person or persons unknown to affiants by name, identity or description, is a place where we each have reason to believe and do believe that said party so occupying and using as a private residence, the said building, house and place has in her possession therein narcotic drugs, as that term is defined by law, and contrary to the provisions of law, and for the purpose of the unlawul sale thereof, and where such narcotic drugs are unlawfully sold; that on or about the 14th day of December, A.D., 1967, Affiants have received information from a credible and reliable informant that Sharland Elizabeth Reeves is keeping and using marijuana at her residence which is located at 608 East 19½ Street, Austin, Travis County, Texas. The informant has been present on numerous occasions when the subject was using and under the influence of marijuana and has seen the subject dispense marijuana to other guests in her residence. In most instances the marijuana is smoked by using a water type smoking pipe and this instrument is kept in the back or North Bedroom up on a shelf, which is to the right as you enter the bedroom. Also, the marijuana is kept on this shelf a majority of the time. The informant further states that there have been several large marijuana parties thrown by Sharland Elizabeth Reeves within the past few weeks, at which time Sharland Elizabeth Reeves furnished the marijuana. The informant states that she has seen marijuana in Sharland Elizabeth Reeves' possession within the past two days.

48 United States v. Ventresca, 380 U.S. 102, 85 S. Ct. 741, 13 L. Ed.2d 684 (1965).

Ventresca requires that an affidavit be given a common sense and realistic reading. In light of this, it may be said that the "personal knowledge" of affiants in the *Gaston* case was the result of independent observation sufficient to validate the affidavit which would be invalid under *Aguilar* valid under *Spinelli.*

In *Ruiz v. State,*[49] a divided Court of Criminal Appeals again wrote concerning a borderline affidavit. The affidavit in *Ruiz*[50] recited many statements which were prefaced with "I know. . . ." Nowhere in the affidavit does it mention where the information was obtained—whether from an informant, personal observations of the affiant, or a combination—and it would be stretching the holding in *Ventresca* to speculate. The opinion in *Ruiz* correctly applied the holding in *Giordinello*[51] and did not indulge in unwarranted speculation.

CONCLUSION

The Court of Criminal Appeals has had numerous opportunities to discuss search warrant affidavits based on hearsay and on combinations of hearsay and observations by the affiant,[52] and has touched upon practically all conceivable wording of an affidavit. The following procedure is offered as a rule of thumb method to aid in solving questions involving probable cause in connection with a search warrant affidavit:

---

[49] Ruiz v. State, 457 S.W.2d 894 (Tex. Crim. App. 1970).

[50] The affidavit in *Ruiz*, omitting the formal parts, is as follows:

I, Everett H. Hewett, do solemnly swear that heretofore, on or about the 7th day of December, 1968, in Victoria County, Texas, Alma Ruiz, alias Janie Ruiz did then and there unlawfully possess a narcotic drug, to-wit: Heroin, and I do have good reason to believe and do believe that said narcotic drug is now concealed by the said Alma Ruiz, Alias Janie Ruiz in said County and State in Room 10 of the Victoria Hotel in Victoria, Texas, which said premises are occupied by and under the control of the said Alma Ruiz, alias Janie Ruiz.

My belief of the foregoing is based upon the following facts: "I know that on or about the 24th day of November, 1968, Walter Eugene Benda, Al G. Cantu and Alma Ruiz came to Six Flags Motel at Victoria in Victoria County, Texas, and occupied adjoining rooms with a connecting door; that the said Walter Eugene Benda later moved to another room in said motel; that after the said Walter Eugene Benda vacated said room, and before it was rented to another occupant, there was found in said room a syringe, spoon and piece of cotton, which items were of the type usually used by heroin addicts; that known and suspected heroin addicts frequented the room occupied by the said Al G. Cantu and Alma Ruiz; and that the said Al G. Cantu and Alma Ruiz left word that they would be back in Victoria on or about December 6th, 7th, or 8th."

[51] Giordenello v. United States, 357 U.S. 480, 78 S. Ct. 1245, 2 L. Ed.2d 1503 (1958).

[52] *See* Albitez v. State, No. 43,307, Tex. Crim. App., December 9, 1970 (unreported); O'Quinn v. State, 462 S.W.2d 583 (Tex. Crim. App. 1971); Garcia v. State, 459 S.W.2d 839 (Tex. Crim. App. 1970); Evans v. State, 456 S.W.2d 911 (Tex. Crim. App. 1970); Mattei v. State, 455 S.W.2d 761 (Tex. Crim. App. 1970); and Crotts v. State, 432 S.W.2d 921 (Tex. Crim. App. 1968).

St. Mary's Law Journal, Vol. 3 [1971], No. 1, Art. 4

1. Determine whether the place, objects and persons are sufficiently described.
2. Determine whether, from reading the affidavit itself, an informant was involved. If an informant was involved, then apply the rules announced in *Aguilar* and *Spinelli.*
3. If no informant was involved then determine the sufficiency of the affidavit in light of *Giordinello* and *Nathanson.*

https://commons.stmarytx.edu/thestmaryslawjournal/vol3/iss1/4