August 30, 2011

Amy A. Miller
Legal Director
American Civil Liberties Union
941 O St., Ste. 706
Lincoln, NE 68508

Re: Public Records Request of 8/3/2011

Dear Ms. Miller:

The Nebraska State Patrol is in the process of compiling a response to your public records request of August 3, 2011. You granted our agency an initial period of thirty days to provide a response. However, the scope of your request was very substantial.

The Nebraska State Patrol has several divisions and troop areas which must be consulted in our response. Records may be stored in several locations and must be reviewed by several individuals, including our legal division, to determine if they are exempt from disclosure under Neb. Rev. Stat. §§ 84-712.01 and 84-712.05. As such, although we made a good faith effort and have partially completed a response, we are simply unable to provide a full, final response within the thirty-day period granted. Please note that we do intend to provide you with a thorough response as soon as possible.

As of this date, Nebraska State Patrol personnel spent approximately 11 hours responding to your request. This is comprised of approximately 1 hour of clerk time at $19.00 per hour billed to the one half-hour, and approximately 10 hours of computer technician time at $27.50 per hour billed to the one half-hour. Pursuant to Neb. Rev. Stat. § 84-712, we ask that you submit a deposit in the amount of $294.00. This represents the time of three troop areas only, without legal review, and we do anticipate that additional costs will be incurred for completion of this request.

In addition, please be aware that we processed portions of your request by notifying the commander of each division and troop area. Each commander requested that his or her staff produce any relevant documentation and information. We anticipate that this will produce a fairly thorough response, but we have not completed a manual, case by case review of each file possessed by our Agency. If you would like us to conduct a case by case review, let me know as soon as possible. However, please be advised that our Agency processed in excess of 180,000 reports in 2010 alone. Assuming it would take a clerk 15 minutes to review each file, the cost of a case by case review would be at least $45,000.00.
Unless you request a case by case review, we anticipate that the earliest practicable date upon which we will be able to provide a response is **September 15, 2011**. This is just an estimated date. We may be able to provide an earlier response. You also have the opportunity to modify or prioritize your request. Please anticipate a response from the Nebraska State Patrol on or before September 15, 2011 and feel free to contact our Agency Legal Counsel, Wendy Wussow, should you have any questions.

Sincerely,

Sarah J. Millsap  
Attorney III  
Nebraska State Patrol
September 14, 2011

Amy A. Miller  
Legal Director  
American Civil Liberties Union  
941 O St., Ste. 706  
Lincoln, NE 68508

Re: Public Records Request of 8/3/2011

Dear Ms. Miller:

This is a response to your public records request dated August 3, 2011, regarding the ability of law enforcement agents to obtain records from cell phone companies that reveal past or present travels of cell phone users. You requested several, separate types of documents, so this letter will address each document by category.

Pursuant to your email correspondence with our Legal Division, this response is limited only to records from January 1, 2010 through August 3, 2011. Your letter included an initial general request for “all records in your possession relating to your acquisition of cell phone location records.” We interpret your request to exclude general cellular phone records which list only phone numbers, although general cellular phone records sometimes include the city or town from which calls originated. In addition, we interpret your request to exclude the list of wireless company contact information the Nebraska State Patrol is required to maintain under Neb. Rev. Stat. § 86-805, or any correspondence related to that list. Other than the records falling under those exclusions, we have provided or addressed all other records in our possession meeting your initial, general request.

In a separate email to our Legal Division, you requested that we determine when the Nebraska State Patrol began utilization of cellular phone location records. We are unable to ascertain this information without reviewing all of our case records beginning in the years cell phones began to have location-tracking ability. My understanding is that you do not wish our Agency to engage in this significant undertaking. However, the standards, policies, procedures and practices discussed below would apply each time our Agency utilized cell phone location records.

You requested the following, specific records:

1. Policies, procedures and practices you follow to obtain cell phone location records.

The Nebraska State Patrol complies with state and federal law in obtaining cell phone location records. Although we do not have a specific policy related to cellular phone location records, it is
our practice to require officers to obtain a warrant or subpoena before gathering any cell phone location records. The only exception is for exigent circumstances, when an officer has a reasonable belief that a person is in need of immediate aid, and there is a situation demanding immediate attention or if there is no time to obtain a warrant. Exigent circumstances generally exist when one or more individuals face immediate danger of death or serious physical injury. When our officers have a reasonable belief that exigent circumstances exist, our agency submits a facsimile cover sheet in the format requested by the cellular phone company at issue, detailing the exigent circumstances necessitating the release of records.

2. Data retention policies, detailing how long cell phone location records are kept, databases in which they are placed, and agencies (federal, state and local) with which they are shared.

The data retention policies of the Nebraska State Patrol may be found on the website of the Nebraska Secretary of State. We utilize Schedule 6, which is specific to the Nebraska State Patrol, as well as Schedule 24, which applies to General Records for State Agencies. Due to the volume of these schedules, they are not reproduced with this response. Any such records would be shared with other law enforcement agencies upon request if otherwise permitted by state and federal law.

3. The use of cell phone location records to identify “communities of interest (detailing those persons who have been called, or called by a target)” in investigations.

The Nebraska State Patrol does not use cell phone location records to identify “communities of interest” in investigations.

4. The use of cell phone location records to identify all of the cell phones at a particular location.

The Nebraska State Patrol does not use cell phone location records to identify all of the cell phones at a particular location.

5. Your use of “digital fences” (systems whereby your [sic] are notified whenever a cell phone comes within a specific geographic area).

The Nebraska State Patrol does not utilize “digital fences.”

6. The legal standard (e.g. probably cause, relevance) you proffer to obtain cell phone location records.

Please see the response to Question 1 above, noting that consistent with state and federal law, the Nebraska State Patrol must show probable cause to obtain a warrant or subpoena, unless an officer has a reasonable belief that exigent circumstances exist. Exigent circumstances generally exist when one or more individuals face immediate danger of death or serious physical injury.
7. Judicial decisions and orders ruling on your applications to obtain cell phone location records.

See attached documents marked “Group 1.” Four (4) relevant orders granted during the time period of your request are sealed by the court and the Nebraska State Patrol is prohibited from disclosing the same. Your request is denied for these four sealed orders. These four sealed orders are also a part of pending cases, and thus, your request is denied as to any records in our possession related to these orders under the authority of Neb. Rev. State § 84-712.05(5). In addition, we provided you an affidavit and warrant in a case involving Susan Dejong. This is a pending case, so although the warrant and affidavit are public record, your request for any related documentation possessed by our agency is denied under the authority of Neb. Rev. State § 84-712.05(5).

8. Statistics regarding your use of cell phone location records, including the number of emergency requests for which no court order was obtained.

During the time period of your request, the Nebraska State Patrol made a total of nine (9) exigent circumstances requests for cell phone location records. All documentation of these instances held by the Nebraska State Patrol is provided in the attached documents marked “Group 2,” unless an exemption applies as discussed below. To the extent the documentation is unclear, the following summaries may be of assistance:

A. Officer had reasonable belief a woman was being actively assaulted by three men and was going to be killed; redacted dispatch call and facsimile to Sprint attached.
B. Officer had reasonable belief a man who had just finished a chemotherapy treatment was lost and disoriented while driving in rural Nebraska; redacted dispatch call and facsimile to Verizon attached.
C. Officers involved in pursuit of a motorcycle, motorcyclist called in noting that he crashed into a ditch and injured his leg; redacted dispatch call attached.
D. Officers had reasonable belief a man had low blood sugar and may have gone into diabetic shock while driving; redacted dispatch call attached.
E. Motorist stuck in the snow called in and requested that officers locate her; redacted dispatch call attached.
F. Officers had reasonable belief a man had just sexually assaulted a child he was babysitting and stated that he would be doing it again that evening; redacted dispatch call attached.

In addition to the six summaries listed above, the Nebraska State Patrol made three exigent circumstances requests for cell phone location records, the records for which remain a part of pending investigations by our Agency. Your request for these records is denied under the authority of Neb. Rev. State § 84-712.05(5).

9. The form in which cell phone location records are provided
Cell phone location records are generally provided in written form, although information on a cell phone location is occasionally conveyed to an officer by telephone after a written exigent circumstance request is submitted.

10. Communications with cell phone companies and providers of location-based services regarding cell phone location records, including company manuals, pricing, and data access policies; invoices reflecting payments for obtaining cell phone location records; instances in which cell phone companies have refused to comply with a request or order.

See the facsimiles included in “Group 2.” The Nebraska State Patrol has no other documents which meet this description.

Also enclosed in “Group 3” are documents which fulfill your general request for all cell phone location records. These documents related to a case in which a cell phone owner and his legal counsel gave written permission for a search of the cell phone.

We would also like to reiterate that we compiled this response by sending notice of your request to the Commander of each Troop Area and Division of the Nebraska State Patrol. Individual officers were asked to respond with specific records which would meet your request. We did not conduct a case-by-case search of all records in the possession of the Nebraska State Patrol. As noted in our previous letter, the Nebraska State Patrol completed over 180,000 cases in 2010 alone. We estimate the cost of a case-by-case search for 2010 alone to be approximately $45,000.00. If you would like us to undertake this search, please let me know as soon as possible, but we ask that you understand a search of this nature will take many months.

In addition to those reasons stated throughout this letter, the Nebraska State Patrol is partially denying your request because we have redacted certain information and withheld certain information pursuant to the following statutes. First, the name and identifying information of any alleged sexual assault victim has been redacted pursuant to Neb. Rev. Stat. § 29-4009(2). Second, dates of birth and telephone numbers have been redacted pursuant to Neb. Rev. Stat. § 84-712.05(5) and Nebraska State Patrol policy. Additionally, drivers license numbers and Social Security Numbers have been redacted pursuant to Neb. Rev. Stat. § 60-2905 and § 84-712.05(17), respectively. Also, the facsimile number of the Nebraska State Patrol and the confidential facsimile and phone numbers of various cell phone carriers have been redacted pursuant to Neb. Rev. Stat. § 84-712.05(8). Finally, the names of any officers involved in undercover operations have been redacted under the authority of Neb. Rev. Stat. § 84-712.05(5) and § 84-712.05(h), and for the protection of those officers.

Your request was partially denied for reasons specified throughout the letter above. This denial is at the direction of Wendy Wussow, Agency Legal Counsel for the Nebraska State Patrol. You have administrative and judicial rights of review.

If you believe you have been denied any rights granted by Neb. Rev. Stat. Sections 84-712 through 84-712.03, you may elect, pursuant to Neb. Rev. Stat. Section 84-712.03, to:
(1) File for speedy relief by writ of mandamus in the district court within whose jurisdiction the state, county, or political subdivision officer who has custody of the public record can be served; or
(2) Petition the Attorney General to review the matter to determine whether a record may be withheld from public inspection or whether the public body that is custodian of such record has otherwise failed to comply with such section.

The cost for this request was $1,353.00, comprising of 34 hours of computer run time at $27.50 per hour, and 22 hours of clerk time at $19.00 per hour, both billed to the one-half hour. Attorney review time was billed at the reduced clerk rate and we did not charge for the cost of copies. This is the total cost of processing your request, and includes the prior costs for which we requested a deposit. We did not receive a deposit from your office. Please make a check out in the amount of $1,353.00 payable to the State of Nebraska and reference in the memo “PRR Costs.” Please address your envelope to Nebraska State Patrol, Legal Division, c/o Kari Schmidt, P.O. Box 94907, Lincoln, NE 68509.

Should you have any question on this response, you may feel free to contact our Agency Legal Counsel, Wendy Wussow, at (402) 479-4062.

Sincerely,

Sarah J. Millsap
Attorney III
Nebraska State Patrol
GROUP 1
TO: Cellco Partnership, dba Verizon Wireless

This subpoena is being issued in accordance with provisions of 86-709 R.R.S., YOU ARE HEREBY COMMANDED to appear before the undersigned County Attorney at the office of the CUSTER COUNTY ATTORNEY, 421 South 10th Street, Broken Bow, Nebraska, 68822 on October 1, 2010 to give evidence and produce at that time and place the following information:

Records for Blackberry Storm 2 cell phone serial number A000001C8D0500 phone number was owned and reported stolen by phone after 0200 hours August 21, 2010. Specifically: records of outgoing calls between the time of theft and being deactivated by in addition to any records of the stolen phone’s location to tower sites after being stolen or attempts to activate the stolen phone by another subscriber.

In lieu of personal appearance, compliance can be made by mailing or faxing the requested records to:

Trooper Dion Neumiller #308, PO Box 83, Broken Bow, NE 68822 or Fax

WITNESS my hand this 1st day of September, 2010.

Glenn A. Clark
Deputy County Attorney
Verizon Wireless Work Flow Manager

FAX COVER PAGE

<table>
<thead>
<tr>
<th>To</th>
<th>Trooper Dion Neumiller</th>
</tr>
</thead>
<tbody>
<tr>
<td>To Fax Number</td>
<td></td>
</tr>
<tr>
<td>From</td>
<td>Christina</td>
</tr>
<tr>
<td>From Phone Number</td>
<td></td>
</tr>
<tr>
<td>From Fax Number</td>
<td></td>
</tr>
</tbody>
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Comments:

Please note, VzW fax numbers have changed to:

Subpoenas: [Redacted]
Court Orders: [Redacted]

Please note that the time reflected on any call detail report or bill copy is reflective of the switch that processed the call, which may not be the same as the clock time at the cell site where the call was initiated.

The information contained in this message and any attachment may be proprietary, confidential and privileged or subject to the work product doctrine and thus protected from disclosure. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify me immediately by replying to this message and deleting it and all copies and backups thereof. Thank you.
 PLEASE NOTE: There were no outgoing calls for the date of 08/21/2010. The report was run for the entire day, and there were no outgoing calls. Records are not kept of attempted activations.

Feel free to contact me with any questions.

Thank you
Verizon Wireless-Law Enforcement Resource Team
**Administrative Information**

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<td></td>
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<td>41079</td>
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**Vehicle Summary**

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**Property Summary**

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<tr>
<td>STN</td>
<td>Article: Other (none of the above) LIQUOR UVBLUE 750 ML</td>
</tr>
<tr>
<td>STN</td>
<td>Article: Other (none of the above) LIQUOR WINDSO 750 ML</td>
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**Summary Narrative**

On August 21, 2010 Trooper Neumiller was advised of a theft from a travel trailer at the Comstock Music Festival.
**Victim - Person 1:**

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<th>Age</th>
<th>Ethnicity</th>
<th>Height</th>
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<td>White</td>
<td>Female</td>
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<td>Not of Hispanic origin</td>
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**Vehicles:**

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**Property:**

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**Operators:**

<table>
<thead>
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<th>IBRS Info</th>
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<th>Offense Codes</th>
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<tbody>
<tr>
<td></td>
<td>1</td>
<td>2</td>
<td>23</td>
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</table>
Narrative

On August 21, 2010, Trooper Neumiller was advised of a theft at the Comstock Music Festival, Custer County, Nebraska.

Upon arrival Trooper Neumiller contacted reporting party and victim [redacted] at the main entrance to Campground B. [redacted] advised Trooper Neumiller that between 2000 hours on August 20, 2010 and 0200 hours on August 21, 2010 unknown subject(s) entered her 1970 Forrester Travel Trailer through the unlocked door. [redacted] stated that she and two others who were staying at the trailer had left to go to the concerts. When [redacted] returned to the trailer she found that two bottles of liquor had been removed from the counter just inside the door. [redacted] also determined that her Pentax digital camera was missing from the counter.

Later that morning after waking up [redacted] determined that her Blackberry cell phone was also missing. [redacted] stated that it had been plugged in to the charger and laying on the same counter.

[redacted] valued the items taken.

Trooper Neumiller was able to determine that the cell phone had not been used or left the area of the Sargent tower since three pm on August 20, 2010.

Trooper Neumiller caused both the camera and cell phone to entered into NCIC as stolen items.

END
IN THE COUNTY COURT OF GAGE COUNTY, NEBRASKA

STATE OF NEBRASKA
COUNTY OF GAGE

TO NEBRASKA STATE PATROL OFFICER, Trooper Nicholas Frederick

This matter came for hearing on the 30th day of March, 2011 upon the sworn application and affidavit for issuance of a search warrant of Trooper Nicholas Frederick, Nebraska State Patrol, and the Court, being fully advised in the premises finds as follows.

That the Court has jurisdiction of this matter pursuant to sections 29-712 through 29-828, Nebraska Revised Statutes, 1943, as amended

That based upon the sworn affidavit and application for issuance of a search warrant of Trooper Nicholas Frederick, Nebraska State Patrol, dated the 30th day of March, 2011, that there is probable cause to believe that concealed on the premises at:

Cellco Partnership d/b/a Verizon Wireless
180 Washington Valley Rd
Bedminster, NJ

and/or the person of the Custodian of Records employed by Cellco Partnership d/b/a Verizon Wireless, who resides or is in control of the afore described premises, the following property, to wit:

Records associated with telephone number [redacted] for the time period: March 18, 2011 from 0026 hours to 0520 hours CST:

1. Telephone subscriber information
2. Cell Site/Tower Location Information
3. Incoming and outgoing call detail records
4. Incoming and outgoing text message activity and content records

And, if found, to seize and deal with the same as provided by law, and to make return of this warrant to me within ten days after the date hereof.

YOU ARE, THEREFORE, ORDERED, with the necessary and proper assistance, to search the afore described location and/or person, for the purpose of seizing the before described property, and if found, to seize and deal with the same as provided by law, and to make return of this warrant to me within ten days after the date thereof.

IT IS FURTHER ORDERED, that execution of the Search Warrant be forthwith during DAY TIME HOURS

IT IS FURTHER ORDERED, that Nebraska State Patrol Officer, Trooper Nicholas Frederick, make return of this Search Warrant to me within ten days after the date hereof.
GIVEN under my hand this 30 day of March 2011.

[Signature]

County Judge
Title
CONFIRMATION OF TEXT MESSAGE PRESERVATION

Law Enforcement Resource Team | Court Order Compliance Group
180 Washington Valley Road | Bedminster, New Jersey 07921

Case #: 860698
verizon
wireless

TO: Neal Trantham
Fax: 

FROM: Angela Nahas

Today's Date: 3/21 Request Date: 3/20

RE MOBILE NUMBER(S):

DATE RANGE OF CONTENT PRESERVED:

3/18

18 U.S.C. 2703(a) requires that disclosure of electronic communication content stored for under 180 days to a law enforcement agency be made pursuant to a SEARCH WARRANT. This form serves as an acknowledgement of text message preservation and the timeframe preserved. Due to system limitations, only terminating content may be available. Additionally, system outages and upgrades may result in Verizon Wireless not capturing content.

We are only able to retrieve information approximately 3-5 days back from the current date. Please note that a preservation request can only direct us to preserve content already in existence. Pursuant to 18 U.S.C 2703(f), preservation requests cannot demand continuing preservation for content not in existence at the time of the request.

The current charge for the preservation of text message content is billed, per number, at ($50) fifty dollars per five (5) day increment with a minimum of fifty dollars for each request. This charge will apply regardless of receipt of proper legal process. Charges begin on the first date of the above-listed content date range.

Requestor's Contact and Billing Information: (this information is necessary for billing and final delivery of content after service of proper legal process as content downloads into PDF format, which is often too large to send except on CD via US Mail.)

AGENCY NAME:

ADDRESS:

YOUR NAME & CONTACT NUMBER:

REQUESTOR'S SIGNATURE: ___________________________ DATE: ____________

If you have any questions about information presented in this confirmation, please call the L.E.R.T. Hotline at __________ between 7:00 AM and 8:00 PM EST and ask for the analyst handling your request. Please fax back the completed form to formalize preservation of your content.

The information contained in this message and any attachment may be proprietary, confidential and privileged or subject to the work product doctrine and thus protected from disclosure. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify me immediately by replying to this message and deleting it and all copies and backups thereof. Thank you.

March 21, 2011 2:51 PM
STATE OF NEBRASKA

NEBRASKA STATE PATROL
Colonel Bryan J. Tuma
Superintendent
P.O. Box 947
Lincoln, Nebraska 68501-0947
Phone (402) 471-4545

Dave Heineman
Governor

Verizon Wireless Legal Compliance
CellCo Partnership d/b/a Verizon Wireless
180 Washington Valley Road
Bedminster, NJ 07921

RE: Preservation Request [Case H2011-4820-04812]

Dear Custodian of Records:

A wireless telecommunications device using the below listed telephone number is believed to be owned/possessed/used by the subject of an ongoing criminal investigation at this agency (Felony Fleeting to Avoid Arrest in Motor Vehicle), and it is requested pursuant to 18 U.S.C. 2703(f) and Nebraska state statute 88-2,106 that the following information associated with said phone number be preserved pending the issuance of a search warrant or other legal process seeking disclosure of such information:

- Telephone subscriber information
- Cell Site/Tower Location Information
- Incoming and outgoing call detail records
- Incoming and outgoing text message activity and content records
- All stored voice mail messages

SUBSCRIBER TELEPHONE NUMBER: [redacted]
TIME PERIOD: March 18, 2011 from 0600 hours to 0800 hours

I would also request that no notification of this request be provided to the subscriber as it might otherwise seriously jeopardize our ongoing investigation.

Subscriber: We have received information during our investigation that the suspect in this case, Brian Daubendiek, owns/possesses/uses this wireless telecommunications device associated with the number listed above.

If you have any questions concerning this request please contact me at (402) 471-4545. I further request that you confirm receipt of this letter via email to neal.trantham@nebraska.gov.

Thank you for your assistance in this matter.

Neal W. Trantham
Trooper, Nebraska State Patrol

AN INTERNATIONALLY ACCREDITED LAW ENFORCEMENT AGENCY
An Equal Opportunity/Affirmative Action Employer
Administrative Information

<table>
<thead>
<tr>
<th>Agency</th>
<th>H11-4812</th>
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<th>Reported Time</th>
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<td>ORIG</td>
<td>03/18/2011</td>
<td>01:26</td>
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<tr>
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<td>Report to follow</td>
<td>Obstructing the Police</td>
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<td>GAGE CO</td>
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<td>03/18/2011</td>
<td>From Time</td>
<td>01:26</td>
<td>Officer</td>
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<td></td>
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<td>Person Summary</td>
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<tr>
<td>Sus T</td>
<td>Type</td>
<td>Name</td>
<td>Sex</td>
<td>Race</td>
</tr>
<tr>
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<td>I</td>
<td></td>
<td>W</td>
<td>M</td>
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</table>
| Vehicle Summary
| TOW | Type | License Plate | State | Year | Make | Model | Style | Color |
| 2   |     |              | NB    | 2011 | 1987 | GMC   | SRA   | PK    | WHI   |
| Property Summary
| EVD | Article: Other (none of the above) CONSUM one empty Bud Light can |

Summary Narrative

On March 18, 2011 at approximately 0126 hours, Trp. Frederick was involved in a pursuit with a white 1987 GMC pickup bearing Nebraska license plate. The pursuit took place in Gage County and the suspect fled from the vehicle approximately one-half mile west of 38th on Dogwood. The suspect has not yet been located.
Original Nebraska State Patrol

Suspect 1:

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<tr>
<th>Suspect 1</th>
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<tr>
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<td>6'01&quot;</td>
<td>160#</td>
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Brown Resident

Suspect 1

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Operator License

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Vehicle: 32630

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<th>Model</th>
<th>Style</th>
<th>Year</th>
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<td>General Motors Corp.</td>
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State | Lic Year | Lic Type | Year |
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Tow Company/Impound Lot

Tow By

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Tow From

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<td>H Troop Traffic</td>
<td>TEMP</td>
<td>07:04</td>
<td>Successful</td>
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Narrative

On March 18, 2011 at approximately 0126 hours, Trp. Frederick and Trp. Wilson, #415, were on duty, riding together in a marked patrol unit. At that time the troopers were parked just north of the junction of 1st Rd. and Hickory north of Beatrice. Trp. Frederick observed a northbound vehicle that appeared to be exceeding the posted speed limit approaching their location. Trp. Frederick activated the front antenna of his radar and confirmed the vehicle to be traveling 66 mph in the 55 mph zone. As the vehicle reached the junction it turned eastbound on Hickory, at which time Trp. Frederick was able to identify it as a white pickup. Trp. Frederick then proceeded to attempt to catch up to the pickup eastbound on Hickory, however, the pickup turned northbound on 10th Rd. Trp. Frederick again clocked the vehicle northbound on 10th Rd. at 72 mph in the 55 mph zone prior to reaching Huckberry, where the road turned to gravel. As the pickup approached Elm on 10th Rd. Trp. Frederick was able to close some of the distance between he and the pickup, and at that time activated the red and blue emergency lights on top of the patrol unit. Trp. Frederick was able to observe that the pickup had a silver toolbox in the bed at that time. The pickup proceeded eastbound on Elm to 38th and Trp. Frederick followed the pickup northbound on 38th from Elm with his emergency lights and siren activated. The pickup then proceeded north to Dogwood, where it turned westbound approximately one-half mile west of 38th on Dogwood. The pickup then turned north into a field. Trp. Frederick followed the pickup into the field and then observed the pickup parked next to a camper/trailer in a stand of cedar trees. Trp. Frederick did not notice any subjects around the vehicle or

Report by

591NJP/FREDERICK, NICHOLAS

08/25/2011 10:11

Page 2 of 3
Narrative

camper at that time and Trp. Frederick and Wilson remained at that location until a perimeter was set up.

A thorough search of the area was then conducted utilizing NSP Airwing and PSD units from the Nebraska State Patrol and Beatrice Police Department. The Gage County Sheriff's Office also assisted. The suspected driver of the pickup was not located. Trp. Henrichs also advised Trp. Frederick that [redacted] had a cousin by the name of [redacted] who lived approximately 1/4 mile southeast of the scene. Trp. Henrichs attempted to contact occupants of the [redacted] residence which appeared to be occupied, however, nobody would answer the door or phone at that location. Trp. Henrichs made contact with the suspect's parents at his residence at [redacted] The registered owner of the pickup, [redacted] DOB [redacted] also resides at that location with his parents, and they advised Trp. Henrichs that they had not seen their son, they allowed troopers to search their residence.

The pickup was towed from the scene by Dissmeyer Towing. Officers cleared the scene at approximately 0420 hours.

All events occurred in Gage County, NE.
SUMMARY NARRATIVE

This report details Trp Tranham's actions in securing a cellular telephone records preservation order for Trp Tranham's cellular phone.

Narrative

On 03-20-11 at approximately 2315 hours, Trp Tranham faxed a cellular telephone preservation order to the Custodian of Records at the Celcom Partnership d/b/a Verizon Wireless company. This preservation order requested that records associated with telephone number [redacted] be preserved until such time that law enforcement would be able to provide a signed search warrant.

On 03-22-11 Trp Tranham came into possession of the Verizon Wireless 'Confirmation of Text Message Preservation' form listing a Verizon Wireless case number of 860698. This fax sheet was received by the Gage County Sheriff's Department c/o Trp Neal Tranham on March 21, 2011 at 2:51 PM.

On 03-22-11 at approximately 16:40 hours Trp Tranham contacted the Verizon Wireless Law Enforcement Resource Team via their hotline. They provided clarification and advised Trp Tranham that it would be acceptable to submit the 'Confirmation of Text Message Preservation' form (with completed billing information) along with the signed search warrant when Trp Tranham is in possession of said warrant.

See attached files Preservation Order and Confirmation Form.

END
BRUCE DAUBENDIEK INT
Nebraska State Patrol

Administrative Information

Agency: Nebraska State Patrol
Supplement No: H11-4812
Report No: 0002
Report Date: 03/23/2011
Report Time: 07:02
CAD Call No: 110770010

Location: 36TH RD/DOGWOOD
City: GAGE
County: 3

Assignment

Traffic HQ Trooper - Night/West/TFS
FREDERICK, NICHOLAS
Traffic HQ Trooper - Night/West/SMT
RMJ001

Witness 1: DAUBENDIEK, BRUCE A

DOB: Not of Hispanic origin
Not 5'10" 155#

Narrative

On March 21, 2011 at approximately 1800 hours, Trp. N. Trantham went to the residence of [Redacted] in rural Gage County, NE. Trp. Trantham knocked on the door and was met by [Redacted], the suspect in the case. Trp. Trantham advised [Redacted] that he was aware that his attorney did not wish for him to speak with Trp. Trantham. However, Trp. Trantham asked him for contact information for his parents [Redacted] and [Redacted]. [Redacted] provided a telephone number of [Redacted] for his father [Redacted] and [Redacted] for his mother [Redacted].

Trp. Trantham explained to [Redacted] that he was being investigated for a felony offense, and advised him to contact Trp. Trantham if he wished to talk about the incident that occurred when his vehicle was towed by [Redacted] advised that he did not wish to speak further without the presence of his attorney.

Trp. Trantham departed the residence and contacted [Redacted] via the cellular telephone number provided by [Redacted]. Trp. Trantham was able to contact [Redacted] who advised that he was a short distance from the residence and agreed to meet with Trp. Trantham.

At 1808 hours [Redacted] met with Trp. Trantham outside of the residence and provided the following information...
In the early morning hours of March 18, 2011, approximately 0345 hours, [redacted] heard his dog barking and looked outside to see people in his yard. He then realized that the people were at his door, and he met Troopers at the door. [redacted] confirmed that his son [redacted] drives a tan pickup and agreed to allow his house to be searched. [redacted] stated that earlier in the day he came home from work at approximately 4 PM, but was ill and went to bed at 7 PM. He further advised that his wife [redacted] had told him later that their son [redacted] had gone out at approximately 9 PM that evening.

[redacted] advised that he was not aware of which friends his son had gone out with that evening, and does not know the friends his son hangs out with.

[redacted] advised that he believes his son's cell phone is a part of his wife's plan, which he believes is through Alltel or Verizon, but he didn't know for sure and said Trp. Tranham would have to check with his wife.

[redacted] stated that since the incident he has not talked with [redacted] about it, and has not been advised of any details therefore had no details to offer Trp. Tranham.

Trp. Tranham advised [redacted] that his son would possibly be charged with a felony offense of utilizing a motor vehicle to avoid arrest due to a prior conviction for the same offense. Trp. Tranham also advised [redacted] of the details regarding what a felony violation is and the consequences. Trp. Tranham further advised him that it would be in his son's best interest to contact law enforcement officers so that an interview could be conducted. Trp. Tranham provided [redacted] with his business card and then departed the scene.

END
On March 21, 2011 at approximately 1800 hours, Trp Tranham contacted the residence at [redacted] in rural Gage County, NE. Trp Tranham was met at the door by [redacted], the suspect in this case, who provided the contact information for his parents [redacted] and [redacted] to Trp Tranham. (See interview of [redacted] for further details regarding this contact.)

After departing the scene Trp Tranham contacted [redacted] at approximately 1825 hours via the cellular telephone number provided by [redacted].

[redacted] advised Trp Tranham that her son [redacted], s. cell phone is a Verizon cell phone and is on their family plan [redacted] advised that she did not know who her son was with on the night of the incident and advised that she was not familiar with which friends her son hangs out with, stating that he keeps to himself. When asked if she had any further information about the incident as had been told to her by [redacted] since the night of the incident she stated that she knows very little about the incident and had nothing further to advise.

Trp Tranham further advised [redacted] that her son was facing felony charges and educated her regarding the definition of a felony and the consequences associated thereof. Trp Tranham advised her that he’d left his business card with her husband during an interview he’d conducted earlier, and reiterated to her that if...
would be in everyone's best interest for an interview with [REDACTED] to be scheduled.
**ATTEMPTED CONTACT**
Nebraska State Patrol

**Administrative Information**

- **Agency**: Nebraska State Patrol
- **Case Type**: OBSTRUCT POLICE
- **Supplement No.**: H11-4812
- **Reported Date**: 03/23/2011
- **Reported Time**: 07:26
- **CAD Call No.**: 110770010

**Location**
- **Location**: 38TH RD/DOGWOOD
- **City**: GAGE CO
- **County**: 3

**From Time**: 01:26

**Traffic HQ Trooper - Night/West/TFS**
- **Entered by**: FREDERICK, NICHOLAS
- **Assignment**: RMJ001
- **Civilian**: Successful

**Traffic HQ Trooper - Night/West/SMT**
- **Approving Officer**: 230TAK
- **Provider**: Successful

**Narrative**

Attempted Contact with [redacted]

On March 21, 2011 at approximately 1840 hours, Trp. Trantham arrived at the [redacted] residence in rural Gage County, NE at the address of [redacted].

Trp. Trantham was unable to locate any individuals at the residence. There were two vehicles parked outside of the residence, lights in the kitchen were on, and shed doors were open on the outbuildings. However, no one came to the door or contacted Trp. Trantham. Trp. Trantham left a business card in the kitchen door jam with a note advising to call. At the time of this report, Trp. Trantham has not received a return call.

Trp. Trantham attempted to call [redacted], which is the telephone number listed with the Beatrice Police Department as contact information for [redacted]. Trp. Trantham attempted to call this number at 1858 hours. No one answered, and there were no message capabilities associated with this number.

On March 22, 2011 at 1710 hours, Trp. Trantham again attempted to call this same telephone number. No one answered and there was no message service available.
# LAB REPORT
Nebraska State Patrol

## Administrative Information

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<td>03/28/2011</td>
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- **Report to follow**: Obstructing the Police
- **Location**: 38TH RD/DOGWOOD
- **City**: GAGE CO
- **County**: 3
- **Assignments**:
  - **Traffic**: HQ 591NJF/FREDERICK, NICHOLAS
  - **HQ**: Night/West/SMT WILSON, SEAN CE District 2 Troopers
- **Entered by**: MPW001 Civilian Successful LAB REPORT

**Approving Officer**: 238NWT
**Approval Date**: 03/30/2011
**Approval Time**: 00:23:18

- **Officer**: FREDERICK, NICHOLAS
On March 29th, 2011, Trp R. Henrichs was on duty, in uniform, displaying the badge of office of the Nebraska State Patrol, and operating a marked patrol unit. At approximately 0038 hours, Trp. Henrichs heard Trp. Wilson 415, who was riding with Trp. Frederick 591, advise that they were in pursuit of a white pickup. Trp. Henrichs, who was close, responded to the area. Trp. Henrichs took a perimeter position north of Dogwood on 25 road. Trp. Henrichs started directing other officers responding where to set up as perimeter units. Trp. Henrichs called for the NSP helicopter to be enroute. Trp. Henrichs also called for a K9 unit. Trp. Henrichs did this through communications Lincoln. It was very important to find the individual in the pickup for his safety as well as the arrest.

While on perimeter, Trp. Henrichs observed a human walking in the field near the house on 25 road, south of the Pickerel blacktop. Trp. Henrichs waited for a back-up officer which took about 25 minutes, and tried to locate the subject again. Trp. Henrichs was using a thermal scope in order to see the subject. Trp. Henrichs and Officer Soldo, Beatrice Police Department, searched the residence to make sure the subject was not there. The female party at the residence asked law enforcement to do this for her safety.

Trp. Henrichs later drove to the registered owners address with Officer Soldo. Trp. Henrichs made contact with the parents who lived there. Trp. Henrichs asked the parents if their son was if he drove a white pickup, if he was alone tonight, and if they were expecting him home tonight. All answers to questions were yes. Trp. Henrichs asked the parents where was tonight. The parents advised that he had gone into Beatrice to watch the basketball tournament with his friends. The parents gave the names of the friends. But Trp. Henrichs did not write it down. Trp. Henrichs asked the parents if they had heard from them lately. They advised no. Trp. Henrichs explained the situation to the parents. The parents let officers search there house. Trp. Henrichs asked the parents if would have any reason to go to the house. [redacted] lives just south of where the [redacted] was his cousin. Trp. Henrichs watched as the parents tried to call [redacted] cell phone numerous times just to get voicemail. Trp. Henrichs also watched the parents attempt to call Harms. The father left a message to Trp. Henrichs then left the residence and the search was called off.

On a later date, Trp. Henrichs contacted his father, Dennis Henrichs. Henrichs lives in Beatrice. Trp. Henrichs found out that [redacted] works for Henrichs at the Beatrice. Trp. Henrichs asked Henrichs if he had [redacted] cell phone number. A number was given to Trp. Henrichs who forward it to Trp. Trantham. 238.

END
Narrative

On March 29, 2011 Trp Frederick called the cell phone of [redacted] and requested that he meet Trp Frederick at Dismeyer Towing in Adams at approximately 1730 hours on March 30, 2011. The first time Trp Frederick called the cell phone he left [redacted] a voicemail message. Trp Frederick then called [redacted] later in the day and answered the phone. Trp Frederick advised that he would be able to meet Trp Frederick at Dismeyer Towing on March 30.

On March 30, 2011 at approximately 1740 hours, Trps Frederick and Tranham met [redacted] at Dismeyer Towing in Adams. Trp Frederick had [redacted] sign a Nebraska State Patrol Evidence Disposition form, as he was releasing the vehicle to [redacted]. Trps Frederick and Tranham observed [redacted] get into the pickup and discover that he had no keys on his person. [redacted] looked in various spots throughout the pickup for keys, but was unable to locate any. Trps Frederick and Tranham asked the owner of Dismeyer Towing if he had keys for the pickup, to which he advised that he did not and his father, who was also present, advised that they had a spare key at the residence and would return the next day (March 31) to pick up the vehicle and his father then left Dismeyer Towing, as did Trps Frederick and Tranham.
WARRANT
Nebraska State Patrol

Administrative Information

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Location: 38TH RD/DOGWOOD
Assignment: Traffic HQ Trooper Night/West/SMT WILSON, SEAN

Narrative

On March 30, 2011 at approximately 1600 hours, Trps. Frederick and Tranham met with Judge Timm at the Gage County Courthouse in Beatrice, NE. The troopers presented Judge Timm with a search warrant requesting a search of [redacted]’s cellular phone associated with the telephone number [redacted]. Judge Timm reviewed and signed the search warrant.

At approximately 1844 hours Trps. Frederick and Tranham and Sgt. VonMinden were present as the search warrant was faxed to the Verizon Wireless Legal Compliance Division from the Nebraska State Patrol traffic office.
**Administrative Information**

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**Report to follow** Obstructing the Police

**Location**

38TH RD/DOGWOOD

**From Date** 03/18/2011 **To Date** 04/04/2011

**Assignment**

Traffic HQ Trooper - Night/West/SMT

**Entered by** 591Njf/FREDERICK, NICHOLAS

**Traffic HQ Trooper - Night/West/SMT**

**Successful**

**Property**

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**Data processing equipment** Disk, Computer (floppy or hard diskettes)

**Computer hardware, software**

**Entered Date** 04/04/2011 **Troop Traffic**

**Successful** 591Njf0404112302
On April 6, 2011 at approximately 2146 hours, Trp. N. Trantham and Trp. N. Frederick were on duty and in uniform. Trp. Frederick contacted [redacted] at the completion of an earlier interview with her father [redacted]. This interview occurred at approximately 2107 hours on April 6, 2011 and agreed to meet with officers at Resky's Bar in Beatrice, NE. At 2146 hours officers met with [redacted] and advised her that they had obtained information via cellular telephone warrant probe that connected her directly to having firsthand knowledge and contact with suspect [redacted] in the early morning hours of March 18, 2011 following a police pursuit.

Officers advised [redacted] that her actions were suspect and that she had possibly committed a violation of aiding and abetting an obstruction violation. Officers advised [redacted] that they had no interest in charging her criminally, but were instead interested in pursuing the manner of investigating the actions of [redacted] and stated that she did not wish to be interviewed without having an attorney present.

Trp. Trantham contacted Gage County Dep. Attorney Rick Schriner and advised him of the situation. Schriner agreed to grant prosecution immunity to [redacted] in the matter if she provided truthful and complete statement to troopers regarding her knowledge of the incident.

At approximately 2208 hours officers had further contact with [redacted] and advised her of the agreement that had been reached with the deputy county attorney. [redacted] again declined to be interviewed without the presence of her attorney.
Trp. Tranham believes that [redacted] has firsthand knowledge about the pursuit incident and should be called as a witness should the matter go to trial.

END
Interview of Brian Busboom

On April 6, 2011 at approximately 2107 hours, Trp. N. Trantham and Trp. N. Frederick met with [redacted] at his residence at [redacted] in rural Adams, NE.

The following information was then discovered:

[redacted] identified his daughter to be [redacted]. [redacted] lives "at the farm" on [redacted] Rd. near the intersection of [redacted] Rd. [redacted] is engaged to be married to [redacted] and it was advised that both were playing pool in town and were not at his residence at the time.

Trp. Frederick advised that the reason for the officers' presence was to interview [redacted] regarding her knowledge in an event that had occurred on March 18, 2011 involving suspect [redacted] fleeing from Trp. Frederick. [redacted] admitted that he did have knowledge of the incident himself, and provided detailed information to officers regarding him and his daughter's actions on that date.

[redacted] identified his daughter's telephone number to be [redacted] and stated that [redacted] telephone number is [redacted]. Both are with the same company. [redacted] was advised that telephone records indicated that his daughter was involved in the events on that evening, exchanging telephone calls and text messages between her and [redacted] Officers told [redacted] that they had...
Nebraska State Patrol

**Narrative**

no interest in charging, stated that on the night of the incident, called him and asked if she and he could drive over to the scene where the incident had taken place. Once the two drove over to the area they observed that there was a helicopter in the air and also advised that he had not made any calls to on the night of the incident. His friend, and knows what he looks like but doesn't know him personally. Advised that his daughter had been drinking that night and that was the reason why he was driving her.

Once and got to the Pickrell blacktop, they observed "sirens" (believed he meant emergency lights) and a helicopter present admitted that he was present when his daughter sent a text message to that there was a helicopter.

When asked specifically if he knew who was running from the police admitted that his daughter informed him that it was . When asked for clarification Brian Busboom confirmed that was the case.

When asked if there was anybody else involved in the pursuit other than stated that told him that they were going to try to pick up but nobody else.

stated that he checked again at 3:30 AM and still saw the police helicopter in the area.

advised that the only conversation he's had with his daughter regarding the incident, since the date of the incident, was that he didn't get caught. Stated that he had a conversation with his daughter in which he was informed that had recently gotten off probation, and that they all felt bad for him.

Troopers asked to call to inform her that the police would like to speak with her (Trp. Frederick had left earlier unreturned messages). When called and began to speak with he stated that troopers wanted to speak to her about your deal. Eventually handed the phone to Trp. Frederick who spoke with and made arrangements to interview her at a later time that date at Resky's Bar in Beatrice NE.

then told officers that he didn't want to help too much because he didn't want to be in trouble for aiding in the incident.

Trp. Trantham re-advised that officers had no real interest in charging for a criminal violation, providing that she was truthful and cooperative.

Troopers had further conversation with regarding results of cellular telephone search warrant. Trp. Trantham read the following message to stating "It's over in the air, If you're not there run like hell, We can't get you sorry. Love you take care". In response to this stated. "That was me and her," and stated that he was present when that text message was sent. Again admitted that he had picked her up and taken her to the scene, and stated that he and were alone and not accompanied by anyone. Admitted again that "we ain't going no farther if the helicopter is there." also stated that he was not present when voice calls were made. Stated that he believed that had received a text message from stating that he thought officers were real close because he could not talk.

At the conclusion of the interview, officers departed the scene.

END
WARRANT RETURN
Nebraska State Patrol

Narrative
Trp. Frederick prepared a search warrant return for the search warrant that was executed on the Verizon wireless number [redacted]. On April 8, Trp. Frederick presented the search warrant return to Judge Timm at the Gage County Courthouse. The affidavit, search warrant, and warrant return were then submitted to the clerk of the district court.
Nebraska State Patrol

Administrative Information

<table>
<thead>
<tr>
<th>Agency</th>
<th>H11-4812</th>
<th>Supplement No.</th>
<th>Reported Date</th>
<th>Reported Time</th>
<th>CAD Call No.</th>
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<tbody>
<tr>
<td>Nebraska State Patrol</td>
<td></td>
<td>0014</td>
<td>04/13/2011</td>
<td>12:33</td>
<td>110770010</td>
</tr>
</tbody>
</table>

Case Type: OBSTRUCT POLICE

Report to follow: Obstructing the Police

Location: 38TH RD/DOGWOOD

Traffic HQ Trooper - Night/West/TFS

Officer: GAGE CO

Assignment: CE District 2 Troopers

Summary Narrative

This report details the physical arrest of [redacted]

Narrative

Arrest Incident

On April 10, 2011 at approximately 1843 hours, Trp. Trantham arrested [redacted] for Felony Flight to Avoid Arrest (Motor Vehicle) and Obstructing a Police Officer.

On April 10, 2011 at approximately 1843 hours, Trp. Trantham arrived at the [redacted] residence in rural Gage County.

Trp. Trantham knocked on the door and was greeted by [redacted]. Trp. Trantham advised [redacted] that he was under arrest and handcuffed him without incident. [redacted] was transported to the Gage County Jail, where Trp. Trantham issued him a citation for Felony Flight to Avoid Arrest (Motor Vehicle) and Obstructing a Police Officer, and lodged him on such charges.

Trp. Trantham asked [redacted] if he wished to be interviewed to give his side of the story, and [redacted] advised that he did not wish to talk to Trp. Trantham. Trp. Trantham then departed the jail and went back into service.

END
Administrative Information
Agency: Nebraska State Patrol  
Supplement No: H11-4812  
Reported Date: 04/13/2011  
Reported Time: 21:00  
CAD Call No: 110770010

Report to follow: Obstructing the Police
Location: 38TH RD/DOGWOOD
City: GAGE CO  
Assignment: Traffic HQ Trooper - Night/West/TFS
Officer: WILSON, SEAN
CE District: 2 Troopers

Summary Narrative
This report details the expense incurred by the Nebraska State Patrol due to this incident for reimbursement by the suspect.

Narrative
CASE EXPENSES - FOR REIMBURSEMENT

The following expenses were incurred by the Nebraska State Patrol as a result of this incident. Trp. Trantham and Trp. Frederick respectfully request that [redacted] be held accountable for said expenses upon a guilty finding or plea agreement:

1. Overtime ($1,394.67) - 36.5 hours of overtime on 03-18-11 from officers searching for [redacted]. This was verified via Kerry Bohiken from the Nebraska State Patrol accounting department.

2. Aircraft Fuel ($318.00) - fuel expenses for the helicopter that searched for [redacted]. This was verified via Lt. Frank Peck #438 who is the commander of the State Patrol Airwing Division.

3. Storage Fees ($130.00) - Storage fees for the vehicle to be held at Dissemeeyer Township in Adams, NE for 13 days during the case investigation (see receipt).

TOTAL EXPENSES FOR REIMBURSEMENT: $1842.67

END
COUNTY ATTORNEY SUBPOENA

THE STATE OF NEBRASKA )
COUNTY OF DOUGLAS ) SS. A2009-2804-19212

TO SPRINT SPECTRUM, LP
ATTN: SUBPOENA COMPLIANCE
MAIL STOP KSOPHM216-2B700
6408 SPRINT PARKWAY
OVERLAND PARK, KS 66251

YOU ARE HEREBY DIRECTED TO PRODUCE, pursuant to Neb Rev Stat § 86-2, 112 (Reissue 2008), for inspection and copying, any and all records and information relating to:

[Redacted]

that are in your care, custody, possession or control. These records should include but are not necessarily limited to: SUBSCRIBER and CALL DETAIL RECORDS for the time period of May 1, 2009 through July 31, 2009.

It is requested that your company furnish this information by August 14, 2009, or as soon as practicable. The production of such records is both necessary and proper for purposes of an on going investigation, or current effort to enforce the laws of the State of Nebraska, being conducted by the Nebraska State Patrol.

FURTHERMORE, you are asked not to disclose the existence of this subpoena to the subscriber/account holder or any person who is not directly involved with the collection and production of the records requested. Any such disclosure could impede an on-going investigation and thereby interfere with the enforcement of the laws of the State of Nebraska

FURTHERMORE, you are asked to release all of the requested records to
Investigator Matthew Broddecky with the Nebraska State Patrol, 3800 NW 12th St, Lincoln, NE 68521.

Information may be e-mailed to or delivered to:

Attention: Kerry Pavel
Kerry.Pavel@nebraska.gov
(402) 471-8638

WITNESS my hand this 3rd day of Aug., 2009.

[Signature]
County Attorney/Attorney General
RETURN OF SERVICE

STATE OF NEBRASKA )
COUNTY OF __________ ) SS.

This subpoena came into my hands on ______________________, 20____ and I certify that I personally served the same upon the within named

______________________________, by delivering a true and correct

copy thereof to ______________________________ at fax number

______________________________ on _____ day, of

______________________________, 20____, at _______ o'clock _______.

__________________________________________
Original Nebraska State Patrol

Administrative Information

Agency: Nebraska State Patrol  Case Type: Larceny/Theft
Supplement No: A09-19212  Reported Date: 07/30/2009
ORIG  Reported Time: 15:17

Person Summary

SUS 1  I  [Name redacted]  MNI: 11482  Race: W  Sex: M  DOB: [DOB redacted]
SUS 2  I  [Name redacted]  MNI: 11483  Race: W  Sex: M  DOB: [DOB redacted]

Property Summary

OUT Auto: 1994 FORD  PPP361 front clip (fenders - cow)u
OUT Auto: 1994 FORD  PPP361 Drive Shaft
OUT Auto: 1994 FORD  PPP361 Brown bench seat
OUT Auto: 1994 FORD  PPP361 chrome bumper
OUT Auto: 1994 FORD  Blue dash
OUT Auto: FORD  Blue front mat
EVD Article: Equipment/tools LOCK pad lock

Summary Narrative

Inv Brodecky of the Nebraska State Patrol was contacted by Officer Steve Wetzel with the Lincoln Police Department. Officer Wetzel requested assistance from Inv Brodecky regarding a stolen 1994 Ford tow truck. Officer Wetzel received information that the front clip was in a impound lot located at 48th and I, Omaha, Nebraska. On July 30, 2009, Inv Brodecky, Inv True and Sgt Theobald recovered the stolen front clip from 48th and I (owned by [Name redacted] who rented out the lot to Darren Sayles). Harrison County Sheriff's office (IA) was contacted to assist because the motor and frame was in shed type building located at [Name redacted].
# Nebraska State Patrol

## Suspect 1:

**Type** | **Name** | **DOB** | **Race** | **Sex** | **Social Security Number**
--- | --- | --- | --- | --- | ---
Individual | [Redacted] | 11/18/2002 | White | Male | [Redacted]

**Home Address**

- **City:** Lincoln
- **State:** Nebraska

- **Date:** 07/30/2009

- **FBI Number:** [Redacted]
- **Operator License:** [Redacted]
- **Social Security Number:** [Redacted]

## Suspect 2:

**Type** | **Name** | **DOB** | **Race** | **Sex** | **Social Security Number**
--- | --- | --- | --- | --- | ---
Individual | [Redacted] | 11/18/2002 | White | Male | [Redacted]

**Home Address**

- **City:** Omaha
- **State:** Nebraska

- **Date:** 07/30/2009

- **FBI Number:** [Redacted]
- **Operator License:** [Redacted]
- **Social Security Number:** [Redacted]

## Property

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Agency</th>
<th>Original Incident</th>
<th>Original Supplement</th>
<th>Recovered outside agency stolen property</th>
</tr>
</thead>
</table>
| REA42005 | Nebraska State Patrol | A09-19212 | ORIG | Yes | 09/001322

- **Description:** front clip (fenders - cowl)

- **Type:** V

- **Other (none of the above):** Auto accessories, Vehicle parts, accessories

**Truck/Van**

- **Type:** 1994 Ford/Courier/Ford Goldline Camper
- **VIN:** 1FDLR47MXREA42005
- **Make:** Stripped/theft from
- **Control:** West L Acres

**PDR's Transfer**

- **Name:** STEVE WETZEL
- **Number:** A9-044107
- **Date:** 08/04/2009
- **Time:** 09:30

**Successful:** 027MJBR0804091330

**Suspect 1:**

- **Inv No.:** SUS 1
- **Name:** [Redacted]
- **DOB:** [Redacted]
- **Race:** W
- **Sex:** M

**Suspect 2:**

- **Inv No.:** SUS 2
- **Name:** [Redacted]
- **DOB:** [Redacted]
- **Race:** W
- **Sex:** M

---

Report Office:

027MJBR/BRDECKY, MATTHEW

08/31/2011 11:09

Page 3 of 5
<table>
<thead>
<tr>
<th>Item</th>
<th>Agency</th>
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<th>Original Incident</th>
<th>Original Supplement</th>
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<tr>
<td>2</td>
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<td>A09-19212</td>
<td>A09-19212</td>
<td>ORIG</td>
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### Recovered outside agency stolen property

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<tr>
<th>Item No</th>
<th># Pieces</th>
<th>Description</th>
<th>Make</th>
<th>NBRSType</th>
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<tr>
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<td>Drive Shaft</td>
<td></td>
<td></td>
<td>V</td>
</tr>
<tr>
<td>3</td>
<td>1</td>
<td>Brown bench seat</td>
<td></td>
<td></td>
<td>V</td>
</tr>
<tr>
<td>4</td>
<td>1</td>
<td>Chrome bumper</td>
<td></td>
<td></td>
<td>V</td>
</tr>
<tr>
<td>5</td>
<td>1</td>
<td>Blue dash</td>
<td></td>
<td></td>
<td>V</td>
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</tbody>
</table>

### Nebraska State Patrol

**Recovery Location**: Nebraska State Patrol A09-19212

**VIN**: 1FDLF47MXREA42005

**Make**: Ford/Courier/Ford Goldline Camper

**Other Agency**: LINCOLN POLICE

**Officer Name**: STEVE WETZEL

**Recovered Property**:
- Item 2: Drive Shaft
- Item 3: Brown bench seat
- Item 4: Chrome bumper
- Item 5: Blue dash

**Recovered by**: Nebraska State Patrol A09-19212

**Recovered on**: 07/30/2009

**Recovered by Agency**: Nebraska State Patrol

**Stolen Property**: Various items including drive shaft, brown bench seat, chrome bumper, and blue dash.
### Nebraska State Patrol

**Recovered outside agency stolen property**

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Make</th>
<th>Description</th>
<th>Category</th>
<th>NABRS Type</th>
<th>Other Agency</th>
<th>Tools</th>
<th>RMIS Transfer</th>
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<tbody>
<tr>
<td>1</td>
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<td>blue front mat</td>
<td>Vehicle parts, accessories</td>
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<td>LINCOLN POLICE</td>
<td>Tools</td>
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</tbody>
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### Nebraska State Patrol

**Lock (all types including auto boot)**

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<thead>
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<th>Item No.</th>
<th>Make</th>
<th>Description</th>
<th>Category</th>
<th>NABRS Type</th>
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<th>Tools</th>
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<td>A</td>
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<td>Tools</td>
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### Nebraska State Patrol

**Other (none of the above)**

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<th>Item No.</th>
<th>Make</th>
<th>Description</th>
<th>Category</th>
<th>NABRS Type</th>
<th>Other Agency</th>
<th>Tools</th>
<th>RMIS Transfer</th>
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<tr>
<td></td>
<td></td>
<td>Auto accessories</td>
<td>Vehicle parts, accessories</td>
<td>V</td>
<td></td>
<td>Tools</td>
<td></td>
</tr>
</tbody>
</table>
IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA

STATE OF NEBRASKA  

COUNTY OF LANCASTER  

SS.

AFFIDAVIT  
AND APPLICATION  
FOR ISSUANCE OF A  
SEARCH WARRANT  

CASE NO: H11-04391  

COMES NOW, Investigator Jeffrey Ward, of the Nebraska State Patrol, on this 17th day of June, 2011, who being first duly sworn, upon oath says:

2) Your Affiant is a certified law enforcement officer and an investigator with 26 years of experience in law enforcement to include 23 years with the Nebraska State Patrol. He is currently assigned to the Investigative Services Division of the Nebraska State Patrol and is stationed in Lincoln, Nebraska, where said Affiant conducts investigations of criminal matters, including felony and misdemeanor violations of law. Affiant further states that he is currently investigating the crime of Murder in the first degree, in violation of the laws of the State of Nebraska, in Jefferson County, Nebraska.

3) Your affiant has conducted and assisted in numerous murder, assault and death investigations. Additionally, your affiant has assisted county and local agencies with investigations concerning these types of crimes. Your Affiant has attended over 400 hours of training related to assaults, murder and death investigations.

4) Based on Affiant's training and experience, your Affiant has developed probable cause to believe, and does believe that evidence related to the crimes described herein is secured or kept at or within the following described place, or person, to-wit: CellCo Partnership d/b/a/ Verizon Wireless, 180 Washington Valley Road, Bedminster, NJ 07921

5) That said property is under the control or custody of CellCo Partnership d/b/a/ Verizon Wireless, 180 Washington Valley Road, Bedminster, NJ 07921

6) The following facts support your Affiant's probable cause for issuance of a search warrant, to-wit:

On March 11, 2011 at approximately 1602 hours, the Jefferson County 911 received a call from [redacted] from Fairbury, Nebraska, [redacted] and there was a 52 year
old man in her house that was not breathing; was cold to the touch and didn’t know if he had a pulse. The man was [redacted] husband.

Rescue units arrived and transported [redacted] to the hospital in Fairbury. After a short time in Fairbury [redacted] was transported to Lincoln to [redacted] Hospital [redacted] drove her pickup to Lincoln to the hospital [redacted] was the attending ER physician for [redacted].

[redacted] stated that [redacted] had been admitted with very little information, therefore, due to his obvious head trauma, they performed a CT scan of his skull, at which point they discovered what [redacted] described as extensive blunt trauma to the brain [redacted] stated it was his opinion these injuries were non-survivable.

[redacted] directed LPD officers to observe the physical condition of [redacted], which they could see was extensively bruised [redacted] facial area and skull appeared to be somewhat misshapen from bruising, and was severely discolored [redacted] also had numerous bruises and puncture lacerations to his entire body and limbs.

[redacted] stated there was severe bruising at the back of the head as well as a broken nose and contusions to the ocular area [redacted] agreed that this could indicate multiplanar impact.

[redacted] was also hypotensive, and had had chest tubes inserted. [redacted] indicated [redacted] electrolyte levels were far outside of normal, and blood work had indicated the presence of myoglobin. [redacted] indicated this was the result of muscle bruising, and if not treated would result in kidney loss.

Detectives Farber and Ground of the Lincoln Police Department interviewed [redacted] at the LPD office in Lincoln [redacted] first said that [redacted] does not hurt her. She then said that [redacted] and “the whore” have been trying to kill her over the past 6 years. The “whore” that [redacted] is referring to is possibly [redacted] of Sioux Falls, SD.

[redacted] said [redacted] s black eyes were from him rubbing them because he bruises very easily. When asked about the severe bruising on [redacted] knees, [redacted] said they were from the whore and the whore does not want him.

When asked about the head injury to [redacted] [redacted] said it most likely happened when she pulled him by his legs out of the chair and hit his head. The floor in the room that that occurred in was carpet with pad underneath.

When asked about the injuries to [redacted] hands [redacted] said they came from where he works and from hammering.

[redacted] said [redacted] tried to kill her two years ago. [redacted] said “he tried to kill me and I caught him doing it.” Det. Farber asked if that is why [redacted] heat up [redacted] [redacted] was crying and nodded her head up and down indicating, yes.
was arrested for the murder of her husband.

An interview with current employer revealed that had called in sick for work on March 9 and 10, 2011 and just did not show up on March 11. died later on March 11, 2011 and said called him from phone number.

claims that had just returned back from South Dakota on March 11, 2011 and he already had the injuries to his body when he got home said he was in South Dakota for several days before returning on March 11.

said he has almost taken to the hospital in the past because of injuries that said he got from his wife said came to work one day and could barely walk and had to lie down on the couch at home told that his wife had struck him in the legs several times with a crawbar said that then told him he did not want to go to the hospital because he did not want anyone to know what was going on.

7) said called in sick for work on March 9 and 10, 2011 while said was in South Dakota. The location of the accessed cellular telephone tower for phone number belonging to would show's approximate location that the calls were made from when calling on March 9 and 10, 2011.

8) Inv. Ward knows through his training and experience that telecommunications providers maintain records that show the general location of telephones while they are on their telecommunications network. Providers have the ability to document and provide to law enforcement, for criminal investigations, the cellular tower locations that cellular telephones have accessed.

9) Affiant has just and reasonable grounds to believe, and does believe that there is secured or kept at CellCo Partnership d/b/a Verizon Wireless, 180 Washington Valley Road, Bedminster, NJ 07921 the following property, to-wit:

i) Subscriber information regarding the identification of their subscriber for telephone number including real names, addresses, phone numbers, email addresses, status of account, method of payment, and credit card or bank account numbers associated with the payment.

ii) Call detail records for telephone number including the physical location of the cellular antenna tower(s) the target phone used to connect at the beginning and end of a call and a list of the location coordinates to include the cellular antenna tower address of the cellular antenna tower(s) used by the target phone for a
iii) All records concerning incoming and outgoing text and picture messages for telephone number [redacted], including message data, phone numbers, dates and times of incoming and outgoing messages, and any other data pertaining to the above mentioned message for a time period of March 9 through March 11, 2011.

10) Your Affiant believes that the above property is being secured or kept at the premises listed in #9 above, and constitutes evidence of, or evidence relevant to proving a violation of the laws of the State of Nebraska, to wit: Murder in the first degree.

11) Based on the information set forth herein your Affiant requests that a search warrant be issued.

12) Your Affiant further states that this search warrant should be served during daylight hours.

13) WHEREFORE, your Affiant prays that a search warrant may be issued according to law.

[Signature]
Jeffrey Ward, Investigator
Nebraska State Patrol

SUBSCRIBED AND SWORN TO before me this 12th day of June, 2011

[Signature]
JUDGE OF THE DISTRICT COURT

John A. Coburn
SUZANNE M. KIRKLAND
CLERK of the DISTRICT COURT
LANCASTER COUNTY
575 South 10th Street
Lincoln, Nebraska 68508-2810
402-444-7328/FAX 402-444-6190

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA

--CERTIFICATE--

I, Chuck Salem, Chief Deputy of the District Court of Lancaster County, Nebraska, do hereby certify that the foregoing is/are a full and correct copy/copies of the original instrument(s) duly filed and of record in this Court. This Certificate, which bears the seal of the District Court of Lancaster County, State of Nebraska, USA, was signed on

By: [Signature]
Chuck Salem, Chief Deputy
IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA

STATE OF NEBRASKA

COUNTY OF LANCASTER

TO: Jeffrey Ward, a law enforcement officer of the Nebraska State Patrol, and to all other law enforcement officers:

1. This matter came on for consideration on the 17th day of June, 2011, upon the sworn affidavit and application for issuance of a search warrant of Investigator Jeffrey Ward, of the Nebraska State Patrol, and the Court, being fully advised in the premises finds as follows:


3. That based upon the sworn affidavit and application for issuance of a search warrant of Investigator Jeffrey Ward, of the Nebraska State Patrol dated the 17th day of June, 2011, there is probable cause to believe that secured or kept on the premises at CellCo Partnership d/b/a/ Verizon Wireless, 180 Washington Valley Road, Bedminster, NJ 07921, the following property, to-wit:

i) Subscriber information regarding the identification of their subscriber for telephone number [redacted], including real names, addresses, phone numbers, email addresses, status of account, method of payment, and credit card or bank account numbers associated with the payment.

ii) Call detail records for telephone number [redacted], including the physical location of the cellular antenna tower(s) the target phone used to connect at the beginning and end of a call and a list of the location coordinates to include the cellular antenna tower address of the cellular antenna tower(s) used by the target phone for a time period of March 10 through March 14, 2011.
10. All records concerning incoming and outgoing text and picture messages for telephone number [redacted], including, message data, phone numbers, dates and times of incoming and outgoing messages, and any other data pertaining to the above mentioned message for a time period of March 9 through March 11, 2011

4. YOU ARE THEREFORE ORDERED, with the necessary and proper assistance, to search the above described premises for the purpose of seizing the before described property, and if found, to seize and deal with the same as provided by law.

5. IT IS FURTHER ORDERED, that execution of the search warrant be forthwith during daylight hours.

6. IT IS FURTHER ORDERED, that Investigator Jeffrey Ward, of the Nebraska State Patrol, or his designee, make return of this search warrant to me within ten days after the date hereof.

GIVEN under my hand this 17 day of JUNE, 2011

JUDGE OF THE DISTRICT COURT

JOHN A. COLBORN
IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA

--CERTIFICATE--

I, Chuck Salem, Chief Deputy of the District Court of Lancaster County, Nebraska, do hereby certify that the foregoing is/are a full and correct copy/copies of the original instrument(s) duly filed and of record in this Court. This Certificate, which bears the seal of the District Court of Lancaster County, State of Nebraska, USA, was signed on

By:  
Chuck Salem, Chief Deputy
GROUP 2
Detailed History for Patrol Call # A102480004 As of 8/20/2011 00:39:47

Priority 3 Type OTH - MISCELLANEOUS
Location TRPA OFC OMA at 4411 S 108TH ST OMA
LocCross b/w 1 ST and J ST

Created: 09/05/2010 04:34:14 CAD22 558
Entered: 09/05/2010 04:34:14 CAD22 558
Dispatch: 09/05/2010 04:34:14 CAD22 558
Enroute: 09/05/2010 04:34:14 CAD22 558
Onscene: 09/05/2010 04:34:14 CAD22 558
Closed: 09/05/2010 04:34:14 CAD22 558

Prime Unit 558 Dispo HDL Type OTH - MISCELLANEOUS
Name: [redacted] Phone: [redacted] RPAddr: OMAHA
Offense: 5425
Agency: TRPA TRP Area TPA Work Area WEST Area A001
Case #: TA100018453 1 Detail

04 34 14 CREATE Location: TRPA OFC OMA Name: [redacted] RPAddr: OMAHA Phone: [redacted] Dispo HDL
LocDesc: at 4411 S 108TH ST OMA LocCross: b/w 1 ST and J ST Offense: 5425

04 34 14 TEMPNO Number: ABCC07 1368 Series: A
04 34 14 ADVSED Type: None - OTH Dispo: HDL TRP Area: None - TPA Area: None - A001 TypeDesc: None -
> MISCELLANEOUS Priority: None - 3 Agency: None - TRPA Comment: REPORTED HIS GIRLFRIEND, [redacted] WAS
BEING ASSAULTED IN SIOUX CITY IA. HE WAS GETTING TEXT MESSAGES FROM HER CELL PHONE
STATING THAT SHE WAS BEING ASSAULTED AND WAS GOING TO BE KILLED. [redacted] BELIEVED THERE WAS MORE
THAN ONE PERSON INVOLVED AND THEY WERE BLACK MALES. CONTACTED ALLTELL WIRELESS AND THEY
TRACED THE PHONE TO WITHIN IN A 9 MILE RADIUS OF [redacted] SIOUX CITY IA. SIOUX CITY POLICE
WERE ADVISED.

04 34 14 TEMPNO Number: TASC07 1269 Series: TA
04 34 14 CASE: TR# TA100018453 Comment: REPORTED HIS GIRLFRIEND, [redacted] WAS BEING ASSAULTED
IN SIOUX CITY IA. HE WAS GETTING TEXT MESSAGES FROM HER CELL PHONE
STATING THAT SHE WAS BEING ASSAULTED AND WAS GOING TO BE KILLED. [redacted] BELIEVED THERE WAS
MORE THAN ONE PERSON INVOLVED AND THEY WERE BLACK MALES. CONTACTED ALLTELL WIRELESS AND THEY
TRACED THE PHONE TO WITHIN IN A 9 MILE RADIUS OF [redacted] SIOUX CITY IA. SIOUX CITY POLICE WERE ADVISED.

04 34 14 DISPAD 558 Location: TRPA OFC OMA Badge#: 558 OperNames: SPANKE MONICA
04 34 00 PREMIS Comment: PPR
04 34 02 PERMNO Number: ABCC07 1368 = A102480004
04 34 03 PERMNO Number: TASC07 1269 = TA100018453
Please call [redacted] for processing of this request.

Fax: [redacted]

911 EXIGENT CIRCUMSTANCES FORM

To: National Compliance Center

(Phone: [redacted] Fax: [redacted])

From: Nebraska State Patrol

(Name of Agency/PSAP)

Re: Emergency Request for Records for Wireless Number

This office received a 911 distress call for assistance from the above telephone on [redacted] at [redacted] a.m./p.m. Duration of call: [redacted] min. [redacted] sec. Based upon that phone call, we believe that one or more people face immediate danger of death or serious physical injury. As such, we request that you promptly provide us with the following information so that we may render assistance to that individual (or individuals):

[redacted] current subscriber and billing information for the above referenced telephone.

[ ] and/or

[ ] cell site or location information for the call placed by the above referenced telephone to 911.

Signature: [redacted]

Printed Name: Monica

Title: Dispatch-Supervisor

Address: [redacted]

City, State, Zip: [redacted]

Contact Number: [redacted]

Contact Facsimile: [redacted]

Date: Sept 5, 2010
Detailed History for Patrol Call # A111450001 As of 8/20/2011 00:37:56

Priority 3 Type BOLO - WATCH FOR

Location FREMONT FRE at 1151 S HIGHWAY 77 E
LocCross btw H246A-109 and H246B-30
LocInfo POSSIBLY FROM FREMONT TO OMAHA 108TH AND Q ST

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PrimeUnit: A1001 Dispo Unit: Type BOLO - WATCH FOR
Name: FREMONT PD Phone: 911
Agency: TRPA TRPA Area: TRPA WorkArea: A005
Case #: TA110000996  | Detail

01 36 31 CREATE Location FREMONT FRE LocInfo POSSIBLY FROM FREMONT TO OMAHA 108TH AND Q ST Name: FREMONT PD LocCross at 1151 S HIGHWAY 77 E LocCross btw HWY 109 and HWY 30

01 36 31 ENTRY Type None: BOLO TP Area None: TRPA Area None: A005 TypeDesc: None: -WATCH FOR Priority None: -3 Agency None: -TRPA Comment: RECV REPORT FROM FAMILY OF A CONFUSED MALE POSSIBLY DRIVING FROM FREMONT TO OMAHA. SUBJECT ADVISED FAMILY HE IS LOST AND IS NOT FOLLOWING THEIR DIRECTIONS. HE IS DRIVING A SIL HYUNDAI SONATA WITH IL PLATES \[\text{redacted}\] 56 YRS W/M 602 300 WEARING GRY SWEATPANTS AND DARK COLORED T SHIRT. SUBJECT WAS RECENTLY UNDERGOING CHEMO TREATMENTS FOR LYMPHOMA BUT IS NOT UNDER MEDICATION AT THIS TIME

01 36 31 CASE TA110000996 Comment: RECV REPORT FROM FAMILY OF A CONFUSED MALE POSSIBLY DRIVING FROM FREMONT TO OMAHA. SUBJECT ADVISED FAMILY HE IS LOST AND IS NOT FOLLOWING THEIR DIRECTIONS. HE IS DRIVING A SIL HYUNDAI SONATA WITH IL PLATES \[\text{redacted}\] 56 YRS W/M 602 300 WEARING GRY SWEATPANTS AND DARK COLORED T SHIRT. SUBJECT WAS RECENTLY UNDERGOING CHEMO TREATMENTS FOR LYMPHOMA BUT IS NOT UNDER MEDICATION AT THIS TIME

01 36 31 DISPOS A1001 Location: FREMONT FRE

01 36 31 PRIU A10001

01 36 31 PROMIS Comment: PPD

01 37 19 MISCN A1001 Comment: RP IS DAUGHTER \[\text{redacted}\] PS# \[\text{redacted}\]

01 43 42 BACKER 597 Unit ID: A1001 Badge#: 597/MJK OperNames: KINNEY MARK NSP 597 Comment: WB RT275 OUTSIDE OF FREMONT

02 06 42 BACKER 131 Unit ID: 597 Badge#: 131/MJP OperNames: LEADER RANDY NSP 131

02 06 43 MISCN 131 Comment: RT6 TO 168TH AND RUN CHECKING RT275 TO DODGE

02 08 10 MISCN 597 Comment: RT275 TO RT30 AND CHECKED SAPP BROTHERS

02 56 34 MISCN 131 Comment: HAD SEVERAL CONTACTS WITH VERTIZON AND IT WAS DETERMINED SUBJECT WAS IN THE N INDIAN AREA AT 0103 THEN GENOA NE AT 0221. SUBJECT CALLED NANCE CO SO Approx 0245 AND SAYS HE WAS UP FROM 17TH AND BEAVER IN ST EDWARD. HE HAD CONTACTED ST EDWARD POLICE TO 10 74

03 05 05 CHANGE A1001 Dispo 01L

03 05 13 CLEAR 131 297

03 08 19 CLEAR A10823 Comment: ST EDWARD POLICE LOCATED SUBJECT

03 08 19 CLEAR

03 08 19 CLOSE
EMERGENCY INFORMATION REQUEST

TO: Cellco Partnership d/b/a Verizon Wireless

ATTN:  

PHONE:  

FAX:  

RE:  Cellular No  

I hereby certify that
(1) I am a law enforcement officer authorized by applicable law to request the following information;
(2) There is an immediate danger of death or serious physical injury to a person requiring that the information below be provided without waiting for a court order; and
(3) If I am requesting a pen register or wiretap surveillance, I certify that a court order could be entered authorizing the interception requested below and that my agency will obtain a court order approving this interception within 48 hours

Accordingly, I request (check information requested and specify time frame for which it is requested):

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<th>Future / Real-time Info</th>
<th>Time Frame for Which Information Requested</th>
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Other Information or Service Change Requests (describe in detail):

Requesting Investigative or Law Enforcement Officer:
Name: 
Rank/Title:  
Law Enforcement Agency:  
Phone:  
Dispatcher / Badge Number (if applicable):  
Fax:  
Address:  

By signing this form, I swear that all the facts contained herein are true:

Requesting Officer signature:  
Date:  

2713
Detailed History for Patrol Call# #A112150034 As of 8/23/2011 13:15:15

Priority 3 Type T - TRAFFIC STOP
Location 10880 SAPP BROTHERS DR.CSR
LocCross btwn S 152ND ST S and S 156TH ST S
LocInfo BODY PROS ON SAPP DRIVE

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PrimeUnit: 349 Dispo: UTIL Type T TRAFFIC STOP
Offense: 5425
Agency: TRPA TrArea: TPA WorkArea: ASOUTH Area: A059
Case # TA110012312  Detail

09:39:36 CREATE Location SAPP BRO DR/ RT370 LocInfo BODY PROS ON SAPP DRIVE
09:39:36 ENTRY Type None --> T TrArea None --> TPA TypeDesc None --> TRAFFIC STOP Priority None --> 3
Agency None --> TRPA Comment: BLK MC
09:39:36 CASE TR# TA110012312 Comment: BLK MC
09:39:36 DISPOS 149 Location SAPP BRO DR/ RT370 Badge# 349.1LR OperNames: RADFORD, JEROMEY NSP 349
09:39:36 PRIU 449
09:39:36 PREMIS Comment (none)
09:41:53 MISC 449 Comment RAN INTO BADY PROS. NOT SURE IF HE JUMPED THE FENCE
09:42:59 BACKER 149 UnitID 149 Badge# 4591SK OperNames: KNIGHT, TADEM NSP 459
09:43:09 BACKER 149 UnitID 149 Badge# 198TKG OperNames: GROVE, THOMAS NSP 198
09:43:23 MISC 449 Comment: BLK HELMET WHT FSHIRT BLU SHORTS
09:44:12 CHANGE 149 Location SAPP BRO DR/ RT370 =10880 SAPP BROTHERS DR.CSR Area None --> A059
WorkArea None --> ASOUTH
09:44:12 PREMIS Comment (none)
09:45:02 ONSCN 498
09:45:45 BACKER 149 UnitID 149 Location SAPP BRO DR/ RT370 Badge# 199PRJ OperNames: JACOBSON, PAUL NSP 199
09:45:56 BACKER 149 UnitID 149 Location SAPP BRO DR/ RT370 Badge# 239JWD OperNames: OLSEN, JOHN NSP 239
09:46:33 MISC 149 Comment: HAVE UNIT CHECK BY THE FUEL PUMPS AT SAPP BRO REF FEMALE THAT THE DRIVER LEFT THERE SHE IS WEARING A FLOWERED SHIRT 459 WILL CHECK
09:47:37 MISC 449 Plate 4134 Comment: MC PFL
09:47:53 ONSCN 498
09:48:10 LOGM 449 Message: A112150034 11:12:01 Received 08/03/2011 09:47:59 Comment: PALTE

File at: Hammerhead Nebraska Live Display/TA110012312 09/01 dat
Date: 8/31/2011
09:49:28 MISC 149 Plate 04134/MC/NB/2011 Comment PALM
09:50:16 LOGM 149 Message 02110014/0000198 Received 08/03/2011 09:49:31 Comment DISREGARD PLATE INFO, PLATE NOT ON FILE IT IS 4 COUNTY PLATES
09:52:06 ONSCN 199
09:52:53 ONSCN 279
09:55:34 MISC 190 Comment BODY PROS ADVISES PARTY HAS DONE SOME WORK FOR THEM
09:56:34 MISC 190 Comment PARTY EXITED AND WENT WEST
09:57:10 MISC 279 Comment HAVE FEMALE DETAINED
09:57:58 INV 149 InvType INVPriority 1 Name: Sex: F DOB: Age:
09:58:06 INV 149 InvType INVPriority 1 Name: Sex: F DOB: Age:
09:58:37 LOGM 149 Message 02110014/0000198 Received 08/03/2011 09:58:11 Comment SCARPINO
09:59:32 INV 149 InvType INVPriority 1 Name: Sex: M DOB: Age:
10:00:05 LOGM 149 Message 02110014/0000198 Received 08/03/2011 09:59:36 Comment SARGENT
(POSSIBLE SUSPECT)
10:01:14 LOGM 149 Message 02110014/0000198 Received 08/03/2011 10:00:25 Comment VIN NOT ON FILE
2000 YAMAHA
10:06:05 MISC 149 Comment FEMALE ADVISED IT IS
10:07:41 MISC 190 Comment NEED A TOW
10:11:18 MISC 190 Comment QUALITY TOWING WILL BE ENRT FOR MC
10:14:33 MISC 149 Comment WILL BE CHECKING THE AREA
10:15:26 MISC 149 Comment THEY WERE GOING TO MEET ANOTHER PARTY AT SAPP BROTHERS DOES WORK AT BODY PROS AND HAS PROPERTY BELONGING TO STEVE
10:15:36 BACKER 140 UnitID 349 Location SAPP BRO DR/ RT3/0 Badge# 150 ON Names NELSON,DAVE L
NSP 150
10:15:39 ONSCN 199
10:16:22 XREF Service P Call# #111/1011 Type DOS Agency TRPA Comment LINK IRS FOR PRIOR CONTACT INFORMATION
10:16:36 LOGM 149 Message 02110014/0000198 Received 08/03/2011 10:16:04 Comment VIN FOR MC FROM 683'S IR REF EARLIER CONTACT WITH SAME SUBJECT
10:17:34 CONTCT 149 199 199 279 Contact 0
10:18:30 BACKER 76 UnitID 239 Location SAPP BRO DR/ RT3/0 Badge# 076KP OperNames BRIDGES,KEVIN NSP 76
10:18:42 ONSCN 76
10:21:41 MISC 140 Comment TALKED WITH KUM N GO TO WATCH FOR SUBJECT
10:32:22 OK 459
10:34:17 OK 76
10:37:39 OK 150
10:37:57 MISC 149 Comment WILL BE CHECKING CHALCO HILLS AREA OUT AT THE VISITORS CENTER
10:42:26 CLEAR 76
10:47:22 CLEAR 279
10:47:42 MISC 149 Comment TOW IS DONE
10:49:31 CONTCT 149 Contact 0
10:51:04 TRANSP 459 Location S 132ND ST / B ST OMA Mileage 936/4 Comment TRANS FEMALL TO HER VEHICLE
10:57:36 CONTCT 140 Contact 0
11:04:59 CMPLT 459 Comment 13526 C BOWERS AUTO SERVICE APPARENTLY STEPHEN WORKS HERE AS WELL
11:05:10 CLEAR 459
11:05:51 MISC 140 Comment TALKED TO EMPLOYEES AT THE PARK IF THEY SEE HIM THEY WILL CALL
11:05:56 CLEAR 1590
11:06:40 BACKER 669 UnitID 349 Location SAPP BRO DR/RT370 Badge# 459TSK OperNames:KNIGHT TADUM NSP 459
11:08:08 BACKER 669 UnitID 349 Location SAPP BRO DR/RT370 Badge# 659jmp OperNames:PRANTEE JASON NSP 659
11:09:15 MISC 1590 Comment OWNER OF BOWERS GET CALL FROM SUBJECT HE STATED HE HAD BEEN IN AN ACCIDENT AND WAS LYING IN A DITCH
11:10:10 BACKER 150 UnitID 349 Location SAPP BRO DR/RT370 Badge# 150DLN OperNames:NELSON DAVE L NSP 150
11:12:50 MISC 049 199 199 Comment BACK IN THE AREA
11:13:02 ONSCN 669
11:13:19 ONSCN 659
11:14:11 MISC 050 Comment DOES SARPY GO HAVE ABILITY TO PING CELL
11:15:42 ONSCN 459
11:16:33 MISC 059 Comment ADVISE UNITS PSD IS ON THE GROUND
11:28:21 MISC 059 Comment CHECK WITH 199 SEE WHERE HE WENT
11:33:53 CONTCT 1590 459 Contact:0
11:42:06 MISC 049 Comment CELL PHONE VERISON PHONE PINGED OFF CELL TOWER NEAR 14705 CUSTER RD AT 1133 SUBJECT SHOULD BE ON W/SW OF THAT LOCATION
11:47:57 CONTCT 059 Contact:0
12:00:50 MISC 049 059 Comment UNABLE TO LOCATE IN THAT AREA
12:39:42 MISC 199 Comment CHECK WITH VERISON TO PING AGAIN
12:40:41 BACKER 660 UnitID 349 Location SAPP BRO DR/RT370 Badge# 8087TC OperNames:ZAPLA TOBY NSP 508
12:40:46 ONSCN 059
12:58:14 BACKER 490 UnitID 349 Location SAPP BRO DR/RT370 Badge# 498SRW OperNames:WIMMER SETH NSP 498
12:59:17 CLEAR 1590
13:00:14 CONTCT 059 Contact:0
13:13:36 CLEAR 459 659
13:13:41 ONSCN 059
13:19:17 CHANGE Urgency None +R
13:24:44 CLEAR 199
13:25:25 CLEAR 508
13:25:20 CLEAR 159
13:25:33 CLEAR 498
13:25:54 BRIEF Comment SUBJECT FLED ON FOOT FROM TRAFFIC STOP, PARTY WAS NOT LOCATED
13:26:50 CHANGE 499 Dispo Offense None 05425
13:26:53 CLEAR 049
13:26:53 CLEAR
13:26:53 CLOSE
Detailed History for Patrol Call# #B102180053 As of 8/22/2011 12:48:27

Priority 3 Type: BOLO - WATCH FOR
Location: WAYNE, WAY at 16383 HIGHWAY 15,WAY
Loc Cross: b/w HIGHWAY 275 and HIGHWAY 35
Loc Info: WAYNE

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Promet out: 534 Dispo: HDL Type: BOLO - WATCH FOR
Name: SERGEANT CHINN Phone: RPadd
Offense: 5425
Agency: TRPB TRP Area: TPB Work Area BSGT3 Area B027 Case #: TB100012604

19:28:32 CREATE Location: WAYNE, WAY Type: BOLO Loc Info: WAYNE Name: SERGEANT CHINN
Source: PD TRP Area: TPB Area B027 Type: BOLO - WATCH FOR Loc Desc: b/w 16383 HIGHWAY 15,WAY Loc Cross: b/w HIGHWAY 275 and HIGHWAY 35 Priority: 3 Agency: TRPB

19:32:19 ENTRY Comment: SGT CHINN OF WAYNE PD ADVISED [REDACTED] OF A CO SO, IS MISSING, UNABLE TO LOCATE CRUISER AND HE IS NOT ANSWERING CALLS. WIFE UNAWARE OF HIS LOCATION. SGT ASKED IF SGT SVOBODA HAPPENED TO KNOW HIS WHEREABOUTS AS THEY HAD A MEETING THIS AFTERNOON. NSP TRYING TO CONTACT SGT SVOBODA.

19:32:19 -CASE IR#: TB100012604 Comment: SGT CHINN OF WAYNE PD ADVISED [REDACTED] OF A CO SO, IS MISSING, UNABLE TO LOCATE CRUISER AND HE IS NOT ANSWERING CALLS. WIFE UNAWARE OF HIS LOCATION. SGT ASKED IF SGT SVOBODA HAPPENED TO KNOW HIS WHEREABOUTS AS THEY HAD A MEETING THIS AFTERNOON. NSP TRYING TO CONTACT SGT SVOBODA.

19:32:19 -PREMIS Comment: PPR

19:32:24 SELECT

19:42:14 MISC Comment: WAYNE DEPUTY ADVISED 927 WAS PLANNING ON BEING IN LINCOLN BY 1700 BUT HAS NOT ARRIVED. LAST CONTACT WITH HIM WAS AT 1100.

19:42:22 MISC Comment: 142 IS DRIVING TO 402s RESIDENCE REFERENCE HIS MEETING WITH LEROY THIS AFTERNOON.

19:49:50 MISC Comment: 142 LOCA TED 402 AND HE IS CALLING WAYNE PD NOW.

19:54:30 MISC Comment: 142 ADVISED SEND LETTER TO PING VERIZON PHONE. JUDY ADVISED HIS BLOOD SUGAR WAS LOW AND HE WAS NOT ACTING RIGHT.

19:57:47 MISC Comment: CELL NUMBER IS [REDACTED] WAYNE TO LINCOLN HWY 15 TO HWY 275 TO HWY 77.

20:07:53 NOMORE

20:14:16 HOLD

20:14:33 DISPER Ska Badgen: Ska Oper Names: AHLMANN, STEPHANIE

20:14:33 -PRIU Ska

20:14:46 CHANGE Ska Dispo: NDN

20:14:48 CLEAR

20:14:48 -CLEAR

20:14:48 CLOSE

20:21:34 MISC Comment: 142 CONTACTED STEVE PRICE WITH VERIZON AT [REDACTED] FAX

20:21:43 MISC Comment: LETTER FAXED TO VERIZON

http://nsp-cadweb.nsp.state.ne.us/Prd/Ttlml/SystemDocs/CADInterface.aspx/?HQ=%231 8/22/2011
20:26:33 MISC Comment: WAYNE PD ADVISED HE IS AT A CASEY'S GENERAL STORE IN FREMONT. HE HAS TAKEN SOME GLUCOSE AND IS WAITING FOR HER TP PICK HIM UP.

20:27:24 MISC Comment: PER 142, VERIZON PINGED CELL AT 964 EAST CO. RD 'T' IN FREMONT, CELL WAS PINGED 8.86 MILES FROM TOWER IN A NORTHERN DIRECTION AT 1955. DRIVING BLACK 2010 FORD EXPLORER, NO MARKINGS BUT HAS POLICE RADIO.


20:41:31 RO

20:41:33 SELECT

20:41:34 HOLD

20:41:50 CHANGE Urgency: None  R

20:45:35 BRIEF Comment: WAYNE COUNTY SHERIFF'S OFFICE REQUESTED ASSISTANCE LOCATING THEIR SHERIFF. HE WAS TO BE IN LINCOLN AT 1700 AND WAS OVERDUE BY AT LEAST TWO HOURS. HE WAS LOCATED SAFE IN THE FREMONT AREA. NSP ASSISTED WITH TRACKING HIS CELL PHONE THROUGH VERIZON WIRELESS AFTER IT WAS DISCOVERED HE MAY BE HAVING A DIABETIC REACTION.

20:45:43 DISPER 534. Badges: 534 Oper: Names: BAIER, TERESA

20:45:43 -PRIU 534

20:45:46 ONSCN 534

20:45:46 -PRIU 534

20:45:49 CLEAR 534 Disp: HDI

20:45:49 -CLEAR

20:45:49 CLOSE
Detailed History for Patrol Call# #C110330001 As of 8/24/2011 13:59:40

Priority: 1 Type: OAS - AGENCY ASSIST
Location: GUIDE ROCK AREA

Created: 02/02/2011 00:23:47 
Entered: 02/02/2011 00:23:47 
Dispatch: 02/02/2011 00:23:47 
Enroute: 02/02/2011 00:23:47 
Onscene: 02/02/2011 04:26:11 
Control: 02/02/2011 05:59:48 
Closed: 02/02/2011 06:20:05

PrimeUnit: 312 Dispo: HL Dispo: OAS - AGENCY ASSIST
Offense: 5416
Agency: TRPC TriArea: TPC (n/a) Work Area: USG, 1434 (n/a) Area: 045 (n/a)

Case #: TC110002041

00:23:46 CREATE Location: GUIDE ROCK AREA TriArea: TPC Area: C045 Offense: 5416
00:23:46 ENTRY Type: None > > AST TypeDesc: None > > MOTORIST ASSIST Priority: None > > Agency: None > > TRPC Comment: SUBJECT STUCK IN SNOW BANK NOT SURE WHERE SHE IS AT.
00:23:46 - CASE IR#: TC110002041 Comment: SUBJECT STUCK IN SNOW BANK NOT SURE WHERE SHE IS AT.
00:23:46 DISPER 312 Location: GUIDE ROCK AREA Badge#: 312MJH OperNames: HEIKKINEN MICHAEL NSP312
00:23:46 - PRIU 312
00:23:46 - PREMIS Comment: (none)
00:37:36 MISC 312 Comment: SUBJECTS CELL PHONE
00:45:36 MISC 312 Comment: WENT TO GUIDE ROCK STATION DECIDED TO TAKE HIGHWAY FLASHING LIGHTS CAN SEE OF ME POILING WEST.
00:45:49 MISC 312 Comment: 312 WILL CALL X42 TO TRY AND FIGURE OUT WHERE SHE IS
00:50:52 MISC 312 Comment: NUCKOLLS COUNTY 911 PINGING CAPABILITIES IS APPARENTLY X7. THE DISPATCHER ADVISED EVERY CALL THAT COMES IN HAS THE SAME LONGITUDE/Latitude OF 39.000 -39.000
00:54:22 MISC 312 Comment: 550 CALLED VERIZON REF PINGING THE CELL PHONE. AND SPOKE WITH NEIL
00:59:53 MISC 312 Comment: HITTING SAME TOWER SINCE YESTERDAY AT 6PM. STARTS AT 6:30 ON THE FIRST AND GOES UNTIL NOW.
01:03:32 MISC 312 Comment: VERIZON ADVISES THE CELL PHONE IS 4.3 MILES N OF THE TOWER WHICH IS LOCATED AT 3144 4TH ST SUPERIOR.
01:06:28 INV 312 InvType: INV Priority: 1 Name: [REDACTED] Age: [REDACTED] Sex: F DOB: [REDACTED] A
01:07:25 LOGM 312 Message: 041102020070000014 Received: 02/02/2011 01:06:43 Comment: 60
01:08:22 MISC 312 Comment: NUCKOLLS COUNTY SENDING OFFICER TO HER X42 TO SEE IF SHE IS THERE AND 312 WILL CHECK AREA OF 4.3 N OF SUPERIOR TOWER
01:20:33 MISC 312 Comment: ADDRESS IS [REDACTED] IS HER ADDRESS.
01:24:33 MISC 312 Comment: HER ADDRESS IS JUST INTO KANSAS
01:42:15 MISC 312 Comment: 312 ADVISES THE SUBJECT IS POSSIBLY ON METH ACCORDING TO HER BOYFRIEND
03:19:39 MISC 312 Comment: 550 CALLED VERIZON AGAIN TO GET AN UPDATED LOCATION OF THE CELL PHONE.
03:22:12 MISC 312 Comment: 312 ADVISED SO IS REQUESTING X57
03:27:26 MISC 312 Comment: 550 HAD X25 WITH 406 TO SEE WHAT TO DO NEXT AND REF X57 REQUEST
03:42:42 MISC 312 Comment: 406 CALLED AIRWING 4 CALL AT 0700 AND THEY WILL REASSESS X13 AT THAT TIME. ALSO HAVE 312 STAY WORKING WITH THE SO AND CALL 85 OUT EARLY AT 0600 TO HELP.
03:46:05 MISC 312 Comment: CALL GARY OUT NOW SEND 312 HOME AT 0500.
03:51:24 MISC 312 Comment: 312 ADVISED SUPERIOR HARDY AND GUIDE ROCK FIRE DEPTS ARE ALL BEING PAGED OUT
03:51:35 MISC 312 Comment: 312 AND 85 WHAT 135 WANTS
04:26:09 BACKER 85 UnitID: 312 Badge#: 085.GF OperNames: CLINE GARY NSP 85
04:26:14 ONSCN 312
04:26:14 -PRH- 312
05:15:43 ONSCN 85
05:16:14 CLEAR 312 Type: ANI -> OAS Dispo: HDL
05:39:07 MISC 85 Comment: 4-5 S OF SUPERIOR IN KANSAS THEY FOUND SUBJECTS VEH BUT SHE WAS NOT IN VEHICLE
05:59:48 OK 85
06:19:43 CHANGE 85 Dispo: HDL Offense: 5416-5435 Comment: PER NUCKOLLS COUNTY SO THE SUPERIOR FIRE DEPT FOUND THE FEMALE'S VEHICLE APPROX 4-5 MILES SOUTH OF SUPERIOR IN KANSAS. THE SUBJECT WAS NOT IN THE VEHICLE. THEY TRACKED HER FOOT STEPS QUITE A WAYS FROM THE VEH AND LOCATED THE SUBJECT OUT IN THE ELEMENTS. SHE IS BE TRANSPORTED TO A HOSPITAL AT THIS TIME STILL ALIVE.
06:20:00 CHANGE 85 Urgency: None -> R
06:20:05 CLEAR 85 Dispo: HDL
06:20:05 -CLEAR-
06:20:05 -CLOSE-
On April 2, 2011, Sgt Bockstadter was requested to assist the Kearney County Sheriff's Office with locating a victim of sexual assault.
Nebraska State Patrol

Suspect 1:

<table>
<thead>
<tr>
<th>Involvement</th>
<th>Inv No</th>
<th>Type</th>
<th>Name</th>
<th>MMW</th>
<th>Race</th>
<th>Sex</th>
</tr>
</thead>
<tbody>
<tr>
<td>Suspect 1</td>
<td>1</td>
<td>Individual</td>
<td>[Redacted]</td>
<td>55610</td>
<td>White</td>
<td>Male</td>
</tr>
</tbody>
</table>

Not of Hispanic origin | No | 5'08" | 225# | Brown | Brown | Resident |

Home
Date: 04/02/2011

Operator License

Victim - Person 1:

<table>
<thead>
<tr>
<th>Involvement</th>
<th>Inv No</th>
<th>Type</th>
<th>Name</th>
<th>MMW</th>
<th>Race</th>
<th>Sex</th>
</tr>
</thead>
<tbody>
<tr>
<td>Victim - Person 1</td>
<td>1</td>
<td>Individual</td>
<td>[Redacted]</td>
<td>24290</td>
<td>White</td>
<td>Female</td>
</tr>
</tbody>
</table>

Not of Hispanic origin | No | 5'05" | 130# | Brown |

Home
ZIP Code: 68901
Date: 04/02/2011

Operator License

Vehicle: 6SA34

<table>
<thead>
<tr>
<th>Involvement</th>
<th>Inv No</th>
<th>Type</th>
<th>License No</th>
<th>State</th>
<th>Lic Year</th>
<th>Lic Type</th>
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</thead>
<tbody>
<tr>
<td>Suspect</td>
<td>Auto</td>
<td>Nebraska</td>
<td>2011</td>
<td>Regular Passenger Automobile Plates</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2006 Dodge Charger (and Shelby Charger) | 4-door Automobile | Silver/aluminum |

VIN: [Redacted]

Type: OTH

VIC: 1

DRV: SUS 1

Vehicle:

<table>
<thead>
<tr>
<th>Involvement</th>
<th>Inv No</th>
<th>Type</th>
<th>License No</th>
<th>State</th>
<th>Lic Year</th>
<th>Lic Type</th>
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<tbody>
<tr>
<td>Victim Vehicle</td>
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<td>Nebraska</td>
<td>2011</td>
<td>Regular Passenger Automobile Plates</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2000 Oldsmobile Alero |

4-door Automobile | Silver/aluminum |

Type: OTH

VIC: 1

DRV: [Redacted]

OHT: SUS 1

Narrative

On April 2, 2011 at approximately 0200 hours, Sgt Bockstadter of the Nebraska State Patrol was on duty in uniform and operating a marked patrol unit. At this time, Sgt Bockstadter responded to a request for assistance from the Kearney County Sheriff's Office in attempting to locate a reported sexual assault victim in rural Kearney County between Minden and Campbell. Sgt Bockstadter directed Trp Avery, Trp Mortensen, Trp Dart and Trp Hewitt to also respond to the area to attempt to locate the victim and suspicious vehicles.

Sgt Bockstadter received information from the Kearney County Sheriff's Office that a cell phone ping had placed the victim's location at approximately nine miles southeast of Minden. Sgt Bockstadter and responding troopers searched the area to attempt to locate the vehicle and suspect. Information was gathered from Grand Island Nebraska State Patrol Dispatch that the victim was identified as [Redacted] Trp Mortensen located on County Road B between 41 and 42 Roads. Sgt Bockstadter was near the location and responded to assist.

Sgt Bockstadter was able to speak with [Redacted] at the scene. Sgt Bockstadter noted that [Redacted] was visibly

Report Officer
127 BAB/BOCKSTADTER, BRENT
08/24/2011 13:42
Page 2 of 3
Nebraska State Patrol

Narrative

Scared and shaken, [redacted] made several comments that nothing was ever going to happen. He appeared scared to report to officers what had happened. Sgt. Bockstadter noted that [redacted]'s shirt appeared to be disheveled, with the top buttons unfastened.

Deputy McDougall transported [redacted] to the Kearney County Sheriff's Office.

Sgt. Bockstadter stood by with the vehicle and had it towed to the Kearney County Sheriff's Office to be processed for evidence.

END
On April 2, 2011 at approximately 0538 hours, Inv. Davis conducted an investigative crime scene search of a silver 2000 Olds Alero, bearing Nebraska license plate [redacted] which is registered to [redacted] in Hastings. The vehicle was located inside the Kearney County Sheriff's office sally port.

Inv. Davis conducted a search of the vehicle for any type of evidence related to a sexual assault. During the search, an alternate light source was used inside the trunk and passenger compartment. Inv. Davis also photographed the exterior and interior of the vehicle. The only item collected as evidence was a dirt from the front driver’s side floorboard.

In the back seat, Inv. Davis located a yellow Dollar General bag, which contained a box of Cheese Nip crackers, a package of Air Heads candy and a white piece of paper containing a recipe. All items were photographed and left in the vehicle.

On the rear driver’s side floorboard, Inv. Davis located gravel.

At 0657 hours, Inv. Davis closed the doors and released the vehicle to the Kearney County Sheriff's Office.

END
### Detailed History for Patrol Call# #H102940069 As of 8/31/2011 19:16:02

**Priority 3 Type: OAS  AGENCY ASSIST**

<table>
<thead>
<tr>
<th>Location</th>
<th>FRIEND, NB</th>
</tr>
</thead>
<tbody>
<tr>
<td>Created</td>
<td>10/21/2010 20:09:26 CADH21 524</td>
</tr>
<tr>
<td>Entered</td>
<td>10/21/2010 20:09:26 CADH21 524</td>
</tr>
<tr>
<td>Dispatch</td>
<td>10/21/2010 20:09:26 CADH21 524</td>
</tr>
<tr>
<td>Inroute</td>
<td>10/21/2010 20:09:26 CADH21 524</td>
</tr>
<tr>
<td>Onscene</td>
<td>10/21/2010 20:09:26 CADH21 524</td>
</tr>
<tr>
<td>Closed</td>
<td>10/21/2010 20:30:23 CADH21 524</td>
</tr>
</tbody>
</table>

**PrimeUnit:** 536 Dispo HOI Type: OAS  AGENCY ASSIST

**Offense:** 5435

**Agency:** TRPH TRP Area: TPH(n/a) WorkArea: HSGT2(n/a) Area: H022(n/a)

**Case #: TH100022618 | Detail**

- **20:09:26 CREATE Location: FRIEND, NB**
- **20:09:26 ENTRY Type: None  >CRM TRPArea: None  >TPH Type: None  >CRIMINAL Priority: None  >2 Agency: None  >TRPH Comment: SALINE COUNTY REQUESTING OUR ASSISTANCE IN TRACING PHONE NUMBER REF A REPORT OF A POSSIBLE SEXUAL ASSAULT**
- **20:09:26 DISPOS Location: FRIEND, NB Badge#: 565 OperNames: LITZ, KORTINIE M**
- **20:09:26 PRIU 566**
- **20:09:27 PREMIS Comment: (none)**
- **20:10:29 MISC Comment: AT APPROXIMATELY 18:20 A MALE PARTY CALLED THE HOSPITAL IN FRIEND AND SPOKE WITH A NURSE AND ADVISED THAT HE HAD SEXUALLY RAPED A 10 YEAR OLD FEMALE BY THE NAME OF [REDACTED] AND THAT SHE WAS IN HIS CARE AND WOULD BE DOING IT AGAIN THIS EVENING 10/21 HE DESCRIBED THE ASSAULT IN GRAPHIC DETAIL TO THE NURSE AND THEN HUNG UP THE PHONE**
- **20:16:07 CHANGE Type: CRM  >OAS Priority: 2  >3 Type: CRIMINAL  >AGENCY ASSIST**
- **20:16:15 CHANGE Dispo HOI: Offense: None  >5435**
- **20:16:41 MISC Comment: THE MALE CALLER CLAIMS HE IS FROM FRIEND, NB**
- **20:30:23 CLEAR 566 6**
- **20:30:23 CLEAR**
- **20:30:23 CLOSE**
- **22:03:11 RO Comment: ADD MORE INFORMATION**
- **22:07:33 MISC Comment: SUSPECT PHONE NUMBER [REDACTED] PHONE IS OUT OF ALABAMA AND PROVIDER IS TEEN MOBILE [REDACTED] SUSPECT CALLED AT 1817 AND 1820 AFTER PINGING THE CELL PHONE IT IS LOCATED IN JACKSONVILLE FL**
- **22:14:09 SELECT**
- **22:14:14 HOLD**
22:41:53 MISC Comment: 1 MOBIL ADVO THIS IS A PAY BY MINUTE PHONE AND IS SHUT OFF BUT CURRENT GPS COORDINATES ARE [REDACTED] WHICH LOCATION PLACES IT IN JACKSONVILLE, FLORIDA AT THE CORNER OF [REDACTED]. I SPOKE WITH A DISPATCHER IN JACKSONVILLE FI AND ADVO HER OF THE SITUATION AND CURRENT LOCATION OF CELL PHONE. DISPATCHER ADVO SHE WILL HAVE OFFICERS SEARCH AREA. FRIEND ADVO AND WILL SEND TTY TO FLORIDA ALSO FOR THEIR RECORDS PER FLORIDA'S REQUEST.

22:41:14 DISPERS 536 Badge# 536 OperNames: BLIVEN, BECKY
22:43:14 PRIU 536
22:43:24 CHANGE 536 Area Name: 4022
22:44:09 CLEAR 536
22:44:09 CLEAR
23:17:58 RO
23:21:07 MISC Comment: RECEIVED ANOTHER CALL FROM THE HOSPITAL ADVISING THE SUBJECT HAS CALLED BACK 2 MORE TIMES. SAYING HE HAS BEEN BABYSITTING A NEIGHBORS DAUGHTER AND HAS BEEN SEXUALLY ASSAULTING HER ALL DAY. HE CALLED AT 2244 AND 2245. FRIEND PD IS 10-4 REFERENCE THESE CALLS AND IS ATTEMPTING TO PING THESE CALLS.

[10/22/2010]
00:13:16 MISC Comment: AT APPROX 2309 HE WAS [REDACTED]
00:13:20 SELECT
00:13:22 DISPERS 536 Badge# 536 OperNames: BLIVEN, BECKY
00:13:22 PRIU 536
01:27:11 LOGM 536 Message: 01101022062706111111 Received 10/22/2010 01:26:17 Comment: QQQ MESSAGE FROM CUMING COUNTY REF SIMILAR INCIDENT
01:33:37 LOGM 536 Message: 0110102206130001044 Received 10/22/2010 01:26:17 Comment: MESSAGE FROM FLORIDA
01:35:21 LOGM 536 Message: 011010220646001164 Received 10/22/2010 01:34:36 Comment: MESSAGE TO FLORIDA
01:36:22 MISC Comment: SPOKE WITH ALL AGENCIES THAT HAVE BEEN BROUGHT TO OUR ATTENTION THAT ARE INVOLVED WITH THIS CASE. THEY WILL WAIT FOR TTY FROM FLORIDA AND SEND INFORMATION THEY HAVE SO THAT FLORIDA CAN CONTINUE THEIR INVESTIGATION. 274 IS 10-4

01:40:29 CLEAR 536
01:40:29 CLEAR
01:40:29 CLOSE
[10/23/2010]
00:34:48 LOGM Message: 01101022130393401216 Received 10/23/2010 00:33:25 Comment: MESSAGE FROM FLORIDA REFERENCE POSSIBLE DETAINED SUSPECT
GROUP 3
NEBRASKA STATE PATROL

PERMISSION FOR SEARCH

I, [redacted], do hereby voluntarily authorize Investigator Jeff Ward, of the Nebraska State Patrol, with such assistance as he deems proper, to search one Motorola flip phone owned by [redacted] and seized by law enforcement on April 14, 2010, presently located at the Nebraska State Patrol Investigative Services Office, Lincoln, Nebraska.

I am giving this written permission freely and voluntarily, without any threats or promises made to me, with advice of counsel, and understanding that I have the right to refuse to permit this search.

[Signature]

Attorney: [signature] [print] Clarence E. Mock

Date: 9-17-10

Time: ____________________________
**Administrative Information**

<table>
<thead>
<tr>
<th>Agency</th>
<th>Case #</th>
<th>Supplement No</th>
<th>Reported Date</th>
<th>Reported Time</th>
<th>CAD Call No</th>
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<tr>
<td>Nebraska State Patrol</td>
<td>H10-8236</td>
<td>0023</td>
<td>06/18/2010</td>
<td>14:31</td>
<td>101020018</td>
</tr>
</tbody>
</table>

**Location**

3400 NW 12TH ST

**From Date**
04/08/2010 10:31

**Assignment**

Investigative HQ Criminal Investigators

Investigative HQ RAP Investigators

**Report Date**
06/18/2010

**Narrative**

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA

STATE OF NEBRASKA

SEARCH WARRANT

COUNTY OF LANCASTER

CASE NO. H10-08236

TO Jeffrey Ward, a law enforcement officer of the Nebraska State Patrol, and to all other law enforcement officers.

1 This matter came on for consideration on the 10th day of June, 2010, upon the sworn affidavit and application for issuance of a search warrant of Investigator Jeffrey Ward, of the Nebraska State Patrol, and the Court, being fully advised in the premises finds as follows:

2 That the Court has jurisdiction of this matter pursuant to Neb Rev Stat. § 29-812 through Neb Rev Stat. § 29-829.

3 That based upon the sworn affidavit and application for issuance of a search warrant of Investigator Jeffrey Ward, of the Nebraska State Patrol dated the 10th day of June, 2010, there is probable cause to believe that secured or kept on the premises at CellCo Partnership d/b/a/ Verizon Wireless, 180 Washington Valley Road, Bedminster, NJ 07921, the following property, to wit:

a Subscriber information regarding the identification of their subscriber for telephone number [redacted], including real names, addresses, phone numbers, email addresses, status of account, method of payment, and credit card or bank account numbers associated with the payment.

b Call detail records for telephone number [redacted] including the physical location of the cellular antenna tower(s) the target phone used to connect at the beginning and end of a call and a list of the location coordinates to include the cellular antenna tower address of the cellular antenna tower(s) used by the target phone for a time period beginning on April 1, 2010 through April 16, 2010.

c All records concerning incoming and outgoing text and picture messages for telephone number [redacted] including, message data, phone numbers, dates and times of incoming and outgoing messages, and any other
WARRANT CI PHONE
Nebraska State Patrol

**Narrative**
data pertaining to the above mentioned messages

4 YOU ARE THEREFORE ORDERED, with the necessary and proper assistance, to search the above described premises for the purpose of seizing the before described property, and if found, to seize and deal with the same as provided by law

5 IT IS FURTHER ORDERED, that execution of the search warrant be forthwith during daylight hours

6 IT IS FURTHER ORDERED, that Investigator Jeffrey Ward, of the Nebraska State Patrol, or his designee, make return of this search warrant to me within ten days after the date hereof

GIVEN under my hand this ____ day of __________________, 2010

JUDGE OF THE DISTRICT COURT
IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA

STATE OF NEBRASKA )
SS SEARCH WARRANT
COUNTY OF LANCASTER)

CASE NO. H10-08236

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b Call detail records for telephone number [redacted] including the physical location of the cellular antenna tower(s) the target phone used to connect at the beginning and end of a call and a list of the location coordinates to include the cellular antenna tower address of the cellular antenna tower(s) used by the target phone for a time period beginning on April 1, 2010 through April 16, 2010

c All records concerning incoming and outgoing text and picture messages for telephone number [redacted] including message data, phone numbers, dates and times of incoming and outgoing messages, and any other

288JJW/WARD JEFFREY
09/01/2011 14:42
Page 1 of 2
WARRANT PHONE
Nebraska State Patrol

Narrative

Data pertaining to the above mentioned messages

4 YOU ARE THEREFORE ORDERED, with the necessary and proper assistance, to search the above described premises for the purpose of seizing the before described property, and if found, to seize and deal with the same as provided by law.

5 IT IS FURTHER ORDERED, that execution of the search warrant be forthwith during daylight hours.

6 IT IS FURTHER ORDERED, that Investigator Jeffrey Ward, of the Nebraska State Patrol or his designee, make return of this search warrant to me within ten days after the date hereof.

GIVEN under my hand this _____ day of __________________, 2010

__________________________
JUDGE OF THE DISTRICT COURT
IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA

STATE OF NEBRASKA )
) SS SEARCH WARRANT
COUNTY OF LANCASTER)

CASE NO H10-08236

TO Jeffrey Ward, a law enforcement officer of the Nebraska State Patrol, and to all other law enforcement officers

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a Subscriber information regarding the identification of their subscriber for telephone number including real names, addresses, phone numbers, email addresses, status of account, method of payment, and credit card or bank account numbers associated with the payment

b Call detail records for telephone number including the physical location of the cellular antenna tower(s) the target phone used to connect at the beginning and end of a call and a list of the location coordinates to include the cellular antenna tower address of the cellular antenna tower(s) used by the target phone for a time period beginning on April 1, 2010 through April 16, 2010

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Narrative

data pertaining to the above mentioned messages

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5 IT IS FURTHER ORDERED, that execution of the search warrant be forthwith during daylight hours.

6 IT IS FURTHER ORDERED, that Investigator Jeffrey Ward, of the Nebraska State Patrol, or his designee, make return of this search warrant to me within ten days after the date hereof.

GIVEN under my hand this ___ day of ______________ 2010.

JUDGE OF THE DISTRICT COURT
STATE OF NEBRASKA  

AFFIDAVIT  
AND APPLICATION  
1) SS FOR ISSUANCE OF A  
COUNTY OF LANCaster | SEARCH WARRANT  

CASE NO: H10-08236  

1) COMES NOW, Investigator Jeffrey Ward, of the Nebraska State Patrol, on this 9th day of June, 2010, who being first duly sworn, upon oath says  

2) Your Affiant is a certified law enforcement officer and an Investigator with 23 years of experience in law enforcement with the Nebraska State Patrol. He is currently assigned to the Investigative Services Division of the Nebraska State Patrol and is stationed in Lincoln, Nebraska where said Affiant conducts investigations of criminal matters, including felony and misdemeanor violations of law. Affiant further states that he is currently investigating the crimes of Attempted Sexual Assault of a Child and Pandering, in violation of the laws of the State of Nebraska, in Lancaster County, Nebraska  

3) Your affiant has conducted and assisted in numerous child sexual assault investigations and other cases involved in the manufacturing, distribution, and possession of child pornography, child enticement and child abuse. Additionally, your affiant has assisted county and local agencies with investigations concerning these types of crimes.  

4) Your Affiant has attended over 300 hours of training related to sexual assault, child exploitation, sex offenders, sex offender psychology, crimes involving computers and multimedia devices to include investigations involving computer hardware, to include (but not limited to) any and all computer equipment and/or electronic device used to collect, analyze, create, display, convert, store, conceal or transmit any magnetic, optical, electronic or similar computer impulses, files, data, and binary data, and any and all data storage devices such as fixed disks, internal and external hard disks, floppy disk drives and diskettes, tape drives and tapes, DVDs, CDs, flash drives, thumb
AFFIDAVIT CI PHONE  
Nebraska State Patrol

Narrative

drives, memory cards, digital cameras, cellular telephones, Personal Data Assistants (PDAs), iPods, digital music players, and gaming consoles, and training related to the collection said items. Some of the training was sponsored by the National Center for Missing and Exploited Children (NCMEC) along with other national and local training seminars.

5) Based on Affiant's training and experience, your Affiant has developed probable cause to believe and does believe that evidence related to the crimes described herein is secured or kept at or within the following described place or person, to-wit: CellCo Partnership d/b/a Verizon Wireless 180 Washington Valley Road Bedminster NJ 07921

6) That said property is under the control or custody of CellCo Partnership d/b/a Verizon Wireless 180 Washington Valley Road, Bedminster NJ 07921

7) The following facts support your Affiant's probable cause for issuance of a search warrant to-wit:

a) On April 8, 2010 a confidential informant contacted Inv. Ward of the Nebraska State Patrol and said they were aware of a man from Harvard Nebraska later identified as who was looking to have sexual relations with a young girl. The informant said that's cellular telephone number is

b) did have cellular telephone conversations and text messaging with the confidential informant in regards to trying to arrange to meet a young girl. The informant's cellular telephone number is

c) Inv. Ward using the name of posed as a pregnant mother with two children and made telephone contact with . Inv had some phone call and cell phone text message contacts with over the next several days right up to the time of the arrest discussing meeting with and her 12 year old daughter

d) During an approximate 30 minute phone call from phone number on the evening of April 12, 2010, spoke very graphically of what he would like to do and what he would like the 12 year old girl and to do to him in a hotel room in Lincoln agreed to pay $500 to have sexual contact and possibly intercourse with the 12 year old girl.

e) spoke of acts of cunnilingus and fellatio with both the 12 year old and asked about the development of the 12 year olds body parts and asked about pubic hair on her

f) talked about touching and lubricants and having the mother and daughter undress him talked of digital penetration vaginally followed by possible anal penetration said he would like to have both the 9 month pregnant mother and daughter naked and dancing for him.

g) agreed to meet with and her daughter at a hotel in Lincoln sometime after he was done with a 1800 hour meeting on April 14, 2010 Inv talked to about what type of lubricants that her daughter might want and a consensus was made that would bring strawberry lubricant and some Tequila Rose pre-mixed alcoholic beverages for the girl.

h) On April 14, 2010 made contact with and told her he could only come up with $300 for the act agreed to the amount.

i) On April 14, 2010 at approximately 1900 hours called and said he was done with his meeting and would now meet at the hotel chosen by Inv asked if had brought the lubricant and alcoholic beverages said he did bring Tequila Rose and Southern Comfort Whiskey but had not brought the lubricant Inv reaffirmed that the 12 year old would probably need the lubricant Inv told that the hotel she had chosen was at the Airport Interchange said he knew of the hotel and its location and knew that there was a Dr. John's store at the same interchange where he would stop on the way and pick up the lubricant.

j) Two surveillance personnel were sent to Dr. John's to see it arrived arrived at Dr. John's at 1915 hours, entered the building, and exited at 1925 hours.

k) arrived at the hotel at 1930 hours and was told to meet in the back parking lot made contact with and told him that her daughter was in the hotel room getting ready showed
AFFIDAVIT CI PHONE
Nebraska State Patrol

Narrative

Involved the lubricant he had just bought and the liquor was then paid $300 for the evening. He also brought some $1 bills to give to the 12 year old while she was dancing for him. He had (7) $1 bills with him.

1) Involved told to wait in the parking lot for a couple minutes while she checked to see if her daughter was ready. Involved gave the room key card to Room 100 at the south end of the hotel. Involved entered the building at a middle entrance to use the restroom prior to going to Room 100. Approximately 3 minutes later, attempted to enter Room 100 and was arrested by awaiting officers.

8) On April 8, 2010, a Verizon Wireless representative reported to Involved Ward that telephone number belonged to a Verizon Wireless customer.

9) Involved Ward knows through his training and experience that telecommunications providers maintain records that show the general location of telephones while they are on their telecommunications network.

10) On April 8, 2010 Investigator Ward faxed a Preservation Request for Records to Cellco partnership DBA Verizon Wireless concerning SMS/Text Messages, and the contents of any text messages between April 1, 2010 and April 8, 2010 for phone number including, message data, phone numbers incoming and outgoing text messages, dates and times of incoming and outgoing text messages, any other data pertaining to the above mentioned text messages and subscriber information and call detail records for April 1, 2010 thru April 8, 2010 for phone number.

11) On April 16, 2010 Investigator Ward faxed a Preservation Request for Records to Cellco partnership DBA Verizon Wireless concerning SMS/Text Messages, and the contents of any text messages between April 9, 2010 and April 16, 2010 for phone number including, message data, phone numbers incoming and outgoing text messages, dates and times of incoming and outgoing text messages, any other data pertaining to the above mentioned text messages and subscriber information and call detail records for April 9, 2010 thru April 16, 2010 for phone number.

12) Affiant has just and reasonable grounds to believe and does believe that there is secured or kept at Cellco Partnership d/b/a Verizon Wireless 180 Washington Valley Road Bedminster, NJ 07921 the following property, to-wit

i) Subscriber information regarding the identification of their subscriber for telephone number including real names, addresses, phone numbers, email addresses, status of account, method of payment, and credit card or bank account numbers associated with the payment

ii) Call detail records for telephone number including the physical location of the cellular antenna tower(s) the target phone used to connect at the beginning and end of a call and a list of the location coordinates to include the cellular antenna tower address of the cellular antenna tower(s) used by the target phone for a time period beginning on April 1 through April 16, 2010.

iii) All records concerning incoming and outgoing text and picture messages for telephone number including, message data, phone numbers, dates and times of incoming and outgoing messages, and any other data pertaining to the above mentioned messages.

13) Your Affiant believes that the above property is being secured, kept, or used in violation of the laws of the State of Nebraska or is being secured or kept at the premises and constitutes evidence of or evidence relevant to proving a violation of the laws of the State of Nebraska, to wit. Attempted Sexual Assault of a Child and Pandering.

14) Based on the information set forth herein your Affiant requests that a search warrant be issued.

15) Your Affiant further states that this search warrant should be served during daylight hours.

16) WHEREFORE your Affiant prays that a search warrant may be issued according to law.
AFFIDAVIT CI PHONE
Nebraska State Patrol

Narrative
Jeffrey Ward  Investigator
Nebraska State Patrol

SUBSCRIBED AND SWORN TO before me this ______ day of ____________________ 2010

JUDGE OF THE DISTRICT COURT
IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA

STATE OF NEBRASKA  AFFIDAVIT
AND APPLICATION
SS FOR ISSUANCE OF A
COUNTY OF LANCASTER SEARCH WARRANT

CASE NO: H10-08236

1) COMES NOW, Investigator Jeffrey Ward, of the Nebraska State Patrol, on this 9th day of June, 2010, who being first duly sworn, upon oath says

2) Your Affiant is a certified law enforcement officer and an Investigator with 23 years of experience in law enforcement with the Nebraska State Patrol. He is currently assigned to the Investigative Services Division of the Nebraska State Patrol and is stationed in Lincoln, Nebraska, where said Affiant conducts investigations of criminal matters, including felony and misdemeanor violations of law. Affiant further states that he is currently investigating the crimes of Attempted Sexual Assault of a Child and Pandering, in violation of the laws of the State of Nebraska, in Lancaster County, Nebraska.

3) Your Affiant has conducted and assisted in numerous child sexual assault investigations and other cases involved in the manufacturing, distribution, and possession of child pornography, child enticement, and child abuse. Additionally, your Affiant has assisted county and local agencies with investigations concerning these types of crimes

4) Your Affiant has attended over 300 hours of training related to sexual assault, child exploitation, sex offenders, sex offender psychology, crimes involving computers and multimedia devices to include investigations involving computer hardware, to include (but not limited to) any and all computer equipment and/or electronic device used to collect, analyze, create, display, convert, store, conceal, or transmit, any magnetic, optical, electronic, or similar computer impulses, files, data, and binary data, and any and all data storage devices such as fixed disks, internal and external hard disks, floppy disk drives and diskettes, tape drives and tapes, DVDs, CDs, flash drives, thumb
drives, memory cards, digital cameras, cellular telephones, Personal Data Assistants (PDAs), iPods, digital music players, and gaming consoles, and training related to the collection said items. Some of the training was sponsored by the National Center for Missing and Exploited Children (NCMEC) along with other national and local training seminars.

5) Based on Affiant's training and experience, your Affiant has developed probable cause to believe, and does believe that evidence related to the crimes described herein is secured or kept at or within the following described place or person, to wit: CellCo Partnership db/a/ Verizon Wireless, 180 Washington Valley Road, Bedminster, NJ 07921.

6) That said property is under the control or custody of CellCo Partnership db/a/ Verizon Wireless, 180 Washington Valley Road, Bedminster, NJ 07921.

7) The following facts support your Affiant's probable cause for issuance of a search warrant, to wit:

a) On April 8, 2010 a confidential informant contacted Inv. [redacted] of the Nebraska State Patrol and said they were aware of a man from Harvard Nebraska, later identified as [redacted] whom was looking to have sexual relations with a young girl. The informant said that [redacted] cellular telephone number is [redacted].

b) Inv. [redacted] using the name of [redacted] posed as a pregnant mother with two children and made telephone contact with [redacted]. Inv. [redacted] had some phone call and cell phone text message contacts with [redacted] over the next several days right up to the time of the arrest discussing meeting with Inv. [redacted] and her 12 year old daughter.

c) During an approximate 30 minute phone call from phone number [redacted], on the evening of April 12, 2010, [redacted] spoke very graphically of what he would like to do and what he would like the 12 year old girl and [redacted] to do to him in a hotel room in Lincoln. Stc agreed to pay $500 to have sexual contact and possibly intercourse with the 12 year old girl.

d) [redacted] spoke of acts of cunnilingus and fellatio with both the 12 year old and [redacted] (Inv. [redacted]) asked about the development of the 12 year old's body parts and asked about pubic hair on her.

e) [redacted] talked about touching and lubricants and having the mother and daughter undress him. [redacted] talked of digital penetration vaginally followed by possible penile penetration. [redacted] said he would like to have both the 9 month pregnant mother and daughter naked and dancing for him.

f) [redacted] agreed to meet with [redacted] and her daughter at a hotel in Lincoln sometime after he was done with a 1800 hours meeting on April 14, 2010. Inv. [redacted] talked to [redacted] about what type of lubricants that her daughter might want and a consensus was made that [redacted] would bring strawberry lubricant and some Tequila Rose pre-mixed alcoholic beverages for the girl.

g) On April 14, 2010, [redacted] made contact with [redacted] (Inv. [redacted]) and told her he could only come up with $300 for the act. Inv. [redacted] agreed to the amount.

h) On April 14, 2010 at approximately 1900 hours, [redacted] called and said he was done with his meeting and would now meet at the hotel chosen by [redacted] and [redacted] asked if [redacted] had brought the lubricant and alcoholic beverages. [redacted] said he did bring Tequila Rose and Southern Comfort Whiskey but had not brought the lubricant. Inv. [redacted] reaffirmed that the 12 year old would probably need the lubricant. Inv. [redacted] told [redacted] that the hotel she had chosen was at the Airport Interchange. [redacted] said he knew of the hotel and its location, and knew that there was a Dr. John's store at the same interchange where he would stop on the way and pick up the lubricant.

i) Two surveillance personnel were sent to Dr. John's to see if [redacted] arrived. [redacted] arrived at Dr. John's at 1915 hours, entered the building, and exited at 1925 hours.

j) [redacted] arrived at the hotel at 1930 hours and was told to meet Inv. [redacted] in the back parking lot. Inv. [redacted] made contact with [redacted] and told him that her daughter was in the hotel room getting ready. [redacted] showed Inv. [redacted] the lubricant he had just bought and the liquor. [redacted] then paid $300 for the evening. [redacted] said he also brought some $1 bills to give to the 12 year old while she was dancing for him. He had (7) $1 bills with him.
AFFIDAVIT PHONE
Nebraska State Patrol
Narrative

k) Involved person told Affiant to wait in the parking lot for a couple of minutes while she checked to see if her daughter was ready. Involved person gave Affiant the room key card to Room #100 at the south end of the hotel. Involved person entered the building at a middle entrance to use the restroom prior to going to Room #100. Approximately 3 minutes later, Involved person attempted to enter Room #100 and was arrested by awaiting officers.

8) On April 8, 2010, a Verizon Wireless representative reported to Involved person that telephone number belongs to a Verizon Wireless customer.

9) Involved person knows through his training and experience that telecommunications providers maintain records that show the general location of telephones while they are on their telecommunications network.

10) On April 8, 2010 Investigator Ward faxed a Preservation Request for Records to Cellco partnership DBA Verizon Wireless concerning SMS/Text Messages, and the contents of any text messages between April 1, 2010 and April 8, 2010 for phone number, including message data, phone numbers incoming and outgoing text messages, dates and times of incoming and outgoing text messages, any other data pertaining to the above mentioned text messages and subscriber information and call detail records for April 1, 2010 thru April 8, 2010 for phone number.

11) On April 16, 2010 Investigator Ward faxed a Preservation Request for Records to Cellco partnership DBA Verizon Wireless concerning SMS/Text Messages, and the contents of any text messages between April 9, 2010 and April 16, 2010 for phone number, including message data, phone numbers incoming and outgoing text messages, dates and times of incoming and outgoing text messages, any other data pertaining to the above mentioned text messages and subscriber information and call detail records for April 9, 2010 thru April 16, 2010 for phone number.

12) Affiant has just and reasonable grounds to believe, and does believe that there is secured or kept at Cellco Partnership dba/ Verizon Wireless, 180 Washington Valley Road, Bedminster, NJ 07921 the following property, to wit:

   i) Subscriber information regarding the identification of their subscriber for telephone number, including real names, addresses, phone numbers, email addresses, status of account, method of payment, and credit card or bank account numbers associated with the payment.

   ii) Call detail records for telephone number, including the physical location of the cellular antenna tower(s) the target phone used to connect at the beginning and end of a call and a list of the location coordinates to include the cellular antenna tower address of the cellular antenna tower(s) used by the target phone for a time period beginning on April 1 through April 16, 2010.

   iii) All records concerning incoming and outgoing text and picture messages for telephone number, including message data, phone numbers, dates and times of incoming and outgoing messages, and any other data pertaining to the above mentioned messages.

13) Your Affiant believes that the above property is being secured, kept, or used in violation of the laws of the State of Nebraska, or is being secured or kept at the premises and constitutes evidence of, or evidence relevant to proving a violation of the laws of the State of Nebraska, to wit Attempted Sexual Assault of a Child and Pandering.

14) Based on the information set forth herein your Affiant requests that a search warrant be issued.

15) Your Affiant further states that this search warrant should be served during daylight hours.

16) WHEREFORE your Affiant prays that a search warrant may be issued according to law.

Jeffrey Ward
Investigator
Nebraska State Patrol