

LPD Case Number: C3-081061

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF THE ORDER
TO PRODUCE IDENTIFYING
PHYSICAL CHARACTERISTICS

CP24-1
RETURN

STATE OF NEBRASKA)
)
) ss.
COUNTY OF LANCASTER)

The undersigned states that he is a Lincoln Police Department officer, that he received the Order to Produce Identifying Physical Characteristics on December 28, 2023. That pursuant to the Order, identifying characteristics buccal swabs and photographs were obtained from TRAVES NEVELS by Ryan Kraenow #1811 on December 31, 2023 at the Lancaster County Jail at 2020 hours. That while submitting to the above-mentioned physical characteristics, TRAVES NEVELS was not subjected to any questioning or interrogation.

DATED this 4th day of January 2024.

Ryan Kraenow #1811
Ryan Kraenow #1811

SUBSCRIBED to and sworn before me this 4th day of January, 2024

Roxane Weston
Notary Public

LANCASTER COUNTY
2024 JAN -4 PH 3:04
CLERK OF THE
DISTRICT COURT



002107242D02

[Handwritten signature]

RECEIPT

The undersigned hereby acknowledges receipt of the following described property seized from Traves Nevels at the Lancaster County Jail, 3801 West O Street, Lancaster County, Nebraska:

- 2- DNA swabs
- 2- DNA swabs
- Photographs

LANCASTER COUNTY
2024 JAN -4 PM 3:04
CLERK OF THE
DISTRICT COURT

DATED this 31st day of December, 20 23.

Ryan Fenow 1811
Law Enforcement Officer

R E / 1811
WITNESS

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA

STATE OF NEBRASKA,
PLAINTIFF,
VS.

Traves L Nevels,
04-11-1993

ORDER TO PRODUCE IDENTIFYING
PHYSICAL CHARACTERISTICS

LANCASTER COUNTY
2024 JAN -4 PM 3:04
CLERK OF THE
DISTRICT COURT

TO: Police Officer Kraenow 1811, and other law enforcement officers of the Lincoln Police Department

WHEREAS, Police Officer Kraenow 1811 has filed an affidavit before the undersigned Judge of the District Court of Lancaster County, Nebraska, a copy of which affidavit is attached hereto and made a part hereof, the Court finds that the facts set forth in said affidavit are true, and said facts and the evidence adduced constitute grounds and probable cause for the issuance of an order to produce identifying physical characteristics. The Court further finds and orders as follows:

1. That the offense of possession of a stolen firearm 28-1212.03 (F2A) and possess firearm by prohibited person 28-1206(3)(B) (F1D) is the subject of said affidavit referred to above;
2. That there is probable cause to believe that the offense of possession of a stolen firearm 28-1212.03 (F2A) and possess firearm by prohibited person 28-1206(3)(B) (F1D) has been committed;
3. That there is probable cause to believe that Traves L Nevels, DOB: 04-11-1993 committed said crimes;
4. That identifying physical characteristics sought are as follows: 1) photographs of Traves L Nevels to include with scale AND: 2) buccal swabs from the mouth of Traves L Nevels. *hands and/or arms*
5. That Traves L Nevels has refused, or there is reason to believe that Traves L Nevels will refuse, to voluntarily provide the desired evidence of identifying physical characteristics.
6. That Traves L Nevels is the individual who may be detained for obtaining such evidence;
7. That Officer Kraenow 1811 and other officers of the Lincoln Police Department are the peace officers authorized to obtain such evidence and to effectuate any detention which may be necessary to obtain the evidence;
8. That such evidence may be obtained at the Lancaster County Adult Detention Facility, 3801 West O Street, Lincoln, Lancaster County, Nebraska

9. That Traves L Nevels will be under no legal obligation to submit to any interrogation or to make any statement during the period of his appearance;
10. That the period of time during which Traves L Nevels may be detained for obtaining such evidence of identifying physical characteristics shall not exceed 5 hours;
11. That if Traves L Nevels fails to comply with the request of said Officer Kraenow 1811 then said Traves L Nevels shall be guilty of contempt of court and punished accordingly;
12. That this order shall remain in force and effect for a period of fifteen (15) days only;
13. That a copy of this Order shall be served upon Traves L Nevels;
14. That a return of this Order shall be made within 30 days after the identification procedures have been carried out, setting forth the type of evidence taken. If the Order is not executed, a return shall be filed within 30 days stating the same;

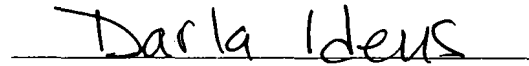
THEREFORE, you are commanded to search the said Traves L Nevels DOB: 04-11-1993 to produce the aforementioned identifying physical characteristic evidence which constitutes evidence that a criminal offense has been committed, and to seize the same.

GIVEN UNDER MY HAND AND SEAL this 28 day of December
2023.

BY THE COURT:



JUDGE OF THE DISTRICT COURT



PRINTED NAME OF JUDGE

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA

STATE OF NEBRASKA,
PLAINTIFF,
VS.

Traves L Nevels,
04-11-1993

AFFIDAVIT FOR
ORDER TO PRODUCE IDENTIFYING
PHYSICAL CHARACTERISTICS

LANCASTER COUNTY
2024 JAN -4 PM 3: 04
CLERK OF THE
DISTRICT COURT

COMES NOW, Officer Kraenow 1811 of the Lincoln Police Department , being first duly sworn upon oath, deposes and states as follows:

1. Your AFFIANT was assigned to investigate a possession of a stolen firearm 28-1212.03 (F2A) and possess firearm by prohibited person 28-1206(3)(B) (F1D) case that is believed to have occurred in Lincoln, Lancaster County, Nebraska.

2. Your AFFIANT has reviewed reports of other peace officers involved in the investigation of possession of a stolen firearm 28-1212.03 (F2A) and possess firearm by prohibited person 28-1206(3)(B) (F1D), and has conducted additional follow up into the investigation of the incident. According to the information that your AFFIANT obtained:

Your affiant states he has not set forth each and every fact learned during the course of this investigation. Rather, your affiant has set forth only the facts that he believes are necessary to establish probable cause for the issuance of a search warrant based on the affidavit.

On 09-10-2023 at approximately 0324 hours Officer Gruber 1856 and your affiant were in the cruiser facing southbound at the north side of the intersection Antelope/O Street. Officer Gruber and your affiant both heard approximately 10-20 gunshots in quick succession that sounded to have come from nearby to the southeast. Your affiant observed several individuals running and vehicles leaving the parking lot of Express Pawn 1921 O Street/50 Shades of Green 1903 O Street. Upon driving into the parking lot in a marked cruiser Traves L Nevels DOB: 04-11-1993 was observed to change the direction he was running and begin running away from the group of individuals and away from the marked cruiser. Your affiant observed Traves was running in the opposite direction from the other individuals that appeared to be running away from the gunshots. Your affiant was aware Traves' change of direction, away from the crowd and from the marked cruiser, as well as how he was running were consistent with someone involved in the shooting and not of a bystander. The cruiser overhead lights and siren were

initiated but Traves continued to run eastbound in the alley and eventually stopped in the parking lot to the east of KED Plasma 2002 N Street at which point he was placed into handcuffs.

Your affiant asked if Traves had a firearm to which Traves stated he would have 7 bullets in his pocket. During a search of Traves' person your affiant located 8 9mm Luger GFL bullets that were loose in Traves' pocket. It should be noted that the headstamps of the bullets located in Traves' pockets were consistent with spent shell casings located at the scene '9MM LUGER GFL' when processed. Traves had been holding a Samsung cell phone immediately after the shooting and the phone was laying on the ground next to him upon him being placed into handcuffs. Traves was initially released without any citations. The Samsung cell phone was seized and tagged into the Lincoln Police Department Property Unit.

Video was later obtained and reviewed from several places nearby including KED Plasma 2002 N Street. Upon reviewing the video Traves was observed to be one of two individuals that shot several times at a black SUV as it was in the alley Antelope-21/N-O Street. The occupied black SUV drove away eastbound in the alley it is was unknown if the vehicle was struck by the bullets. One of the bullets was later found to have broken a window at Catholic Social Services 2241 O Street. This was approximately 30-35 seconds prior to when your affiant first observed Traves in the parking lot prior to being contacted. Traves was found to have a conviction on 07-22-2022 for 3rd degree domestic assault, prohibiting him from possessing a firearm.

Traves was located at his place of employment Taco Bell 1440 West O Street and placed into custody on 09-22-2023 at approximately 2031 hours by your affiant. Traves was transported to jail where he was read his Miranda Rights which he waived and provided a statement. Traves stated he had no recollection of the shooting due to his intoxication. Traves claimed ownership of the cell phone that had been seized during his initial contact on 09-10-2023. Traves was explained the consent to search of his cell phone form and gave written consent to search his two cell phones, to include the aforementioned Samsung cell phone. Traves provided the numerical password for the phone.

Traves was lodged at the Lancaster County Jail 3801 West O Street for discharge firearm near vehicle/building 28-1212.04 (F1C) , possess firearm by prohibited person 28-1206(3)(B) (F1D), use deadly weapon to commit a felony 28-1205(1)(B) (F2), and tampering with physical evidence 28-922(1)(3)B (F2).

Your affiant reviewed the contents of Traves' cell phone and observed several photographs and video of Traves in the phone contents. Your affiant observed a video dated 7-7-2023 8:05:45 AM(UTC+0). Your affiant observed the video was of what appeared to be an African American right hand holding a black MP 9 Shield Plus handgun bearing the serial number 'JNU0702'. Your affiant learned the firearm was stolen at some time between the middle

of June 2023 and August 6th 2023 under C3-074813. Your affiant observed the hand holding the firearm in the video appeared to have unique characteristics as the individual with the firearm had very large and wide fingernails. Your affiant has also reviewed photographs of Traves' hands from a prior arrest in comparison to the video. Your affiant knows this to be highly similar to Traves' hands at the time of his arrest as he appeared to have fingers similar to clubbed fingers. Per Investigator Fields 1618 the video the stolen firearm was taken on the cell phone that Traves was holding on 09-10-2023 immediately after the shooting under C3-081061 and was laying on the ground next to him upon him being placed into handcuffs.

On 10-21-2023 your affiant contacted Chantel Collier DOB: 12-06-1970 via phone. Chantel stated she did not know Traves and had never given him permission to use or possess her firearm.

Your affiant believes that it is highly likely this incident occurred in the city of Lincoln because Traves resided in Lincoln and was employed in Lincoln. Furthermore, in reviewing the location data on Traves' phone your affiant observed the vast majority of the locations appeared to be in and around Lincoln. This included on 7/8/2023 at 10:37:31 PM(UTC+0) in which Traves' phone pinged in Lincoln near North 32nd – North 33rd Street and Orchard Street. This would be consistent with Traves' most recent address via the Lincoln Police Department Records Management System of 3234 Orchard Street #3. Your affiant observed the phone pings appeared more heavily concentrated in different areas of Lincoln. Your affiant observed a significant amount of phone pings were near the 3200 block of Orchard Street. Your affiant also observed the phone pings appeared more heavily concentrated in the area of Taco Bell 1440 West O Street, Traves' known place of employment and place of his arrest. Your affiant is also aware that Traves' phone was password protected when it was seized at the time of the shooting. This significantly limits the availability for individuals to access Traves' phone.

As of 12-25-2023 Traves has not been cited for any charges stemming from the video of the stolen firearm on his phone. Traves has an attorney for the shooting case during which an investigation yielded the aforementioned video of the stolen firearm. Your affiant requested consent for DNA and photographs of Traves for the investigations. On 12-07-2023 your affiant was made aware from Traves' attorney that consent was denied.

3. Your affiant knows that photographs are a way of producing non-testimonial identification evidence regarding the person responsible for the possession of a stolen firearm 28-1212.03 (F2A) and possess firearm by prohibited person 28-1206(3)(B) (F1D) described herein. The identifying physical characteristics sought from Traves L Nevels is photographs of Traves L Nevels' person, to include with scale. The procurement of these identifying physical characteristics is likely to contribute evidence to the further identification or elimination of Traves L Nevels as being the person responsible for the possession of a stolen firearm 28-1212.03 (F2A) and possess firearm by prohibited person 28-1206(3)(B) (F1D) herein via comparing the photographs obtained to the hands in the video of Traves L Nevels' cell phone.

4. Your affiant knows that buccal DNA swabs are a way of producing non-testimonial identification evidence regarding the person responsible for the possession of a stolen firearm 28-1212.03 (F2A) and possess firearm by prohibited person 28-1206(3)(B) (F1D) described herein. The identifying physical characteristics sought from Traves L Nevels is a sample of his/her DNA the form of DNA buccal swabs. The procurement of these identifying physical characteristics is likely to contribute evidence to the further identification or elimination of Traves L Nevels as being the person responsible for the possession of a stolen firearm 28-1212.03 (F2A) and possess firearm by prohibited person 28-1206(3)(B) (F1D) herein

The identifying physical characteristics sought can be obtained from Traves L Nevels at the Lancaster County Adult Detention Facility, 3801 West O Street, Lincoln, Lancaster County, Nebraska and should require a detention not to exceed five (5) hours.

AFFIANT further states that there is probable cause to believe that Traves L Nevels DOB: 04-11-1993 is responsible for possession of a stolen firearm 28-1212.03 (F2A) and possess firearm by prohibited person 28-1206(3)(B) (F1D) as described herein, and in violation of the laws of the State of Nebraska.

Further your affiant saith not.

DATED this 28th day of December, 2023.

Ron Kraenow 1811

Lincoln Police Officer Kraenow 1811

SUBSCRIBED AND SWORN to before me this 28 day of December, 2023.

[Signature]
JUDGE OF THE DISTRICT COURT

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PRINTED NAME OF JUDGE