



**INVENTORY**

**IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA**

**IN THE MATTER OF THE SEARCH WARRANT  
OF THE DESCRIBED PREMISES OF  
LINCOLN POLICE DEPARTMENT  
575 SOUTH 10TH STREET  
LINCOLN, LANCASTER COUNTY, NEBRASKA**

STATE OF NEBRASKA     )  
                                  )  
COUNTY OF LANCASTER )

ss.

**INVENTORY OF PROPERTY  
SEIZED BY VIRTUE OF THE  
SEARCH WARRANT ISSUED HEREIN**

Inv. Weinmaster #883, being first duly sworn on oath, deposes and says the following is an inventory of the property seized by virtue of the Search Warrant issued herein:

The following is a list of the items seized and removed as evidence during the execution of a search warrant at the premise of the Lincoln Police Department, 575 South 10th Street, Lincoln, Lancaster County, Nebraska.

Motorola Moto G Play under Q2326484

- Call Log – 871
- Chats – 179
- Contacts – 1256
- Cookies – 2446
- Credit Cards – 4
- Device Users – 1
- Emails – 1854
- Financial Accounts – 1
- Installed Applications – 309
- Locations – 457
- Passwords – 518
- Searched Items – 40
- SIM Data – 9
- Transfers – 30
- User Accounts – 6
- Web Bookmarks – 2
- Web History – 37489
- Timeline – 99779
- Audio – 23

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Clerk of District Court

JAN 19 2024

CLERK'S OFFICE, DISTRICT COURT  
LANCASTER COUNTY, NEBRASKA

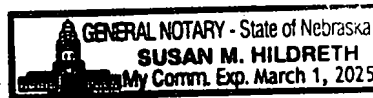
- Documents – 10
- Images – 9170
- Videos – 10

Inventory made in the presence of Inv. Dittman #1551.

Cory L. Weinmaster #883  
Inv. Weinmaster #883

SUBSCRIBED to in my presence and sworn to before me this 18<sup>th</sup> day of  
January, 2024.

Susan M. Hildreth  
Notary Public



## RECEIPT OF SEIZED ITEMS

The following is a list of the items seized and removed as evidence during the execution of a search warrant at the premise of the Lincoln Police Department, 575 South 10<sup>th</sup> Street, Lincoln, Lancaster County, Nebraska.

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CLERK'S OFFICE: DISTRICT COURT  
LANCASTER COUNTY, NEBRASKA

JAN 19 2024

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Clerk of District Court

Date

1/18/24

*Colin P. Kowalski #883*  
Law Enforcement Officer

Witness

*[Signature]*  
1551

JAN 19 2024

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Clerk of District Court

IN THE COUNTY OF LANCASTER COUNTY, NEBRASKA

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

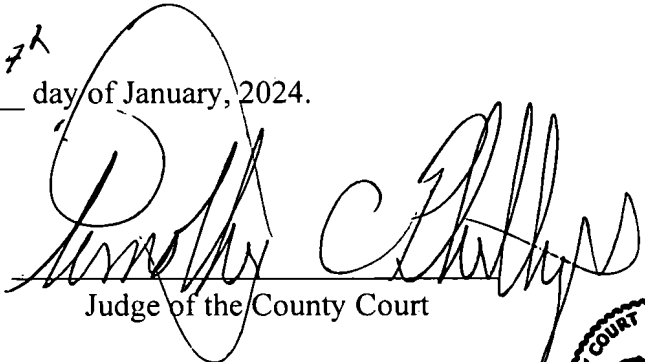
TO: Investigator Christopher Monico #1368, a law enforcement officer with the Lincoln Police Department, Lancaster County, Nebraska, and any and all law enforcement officers and agents thereof.

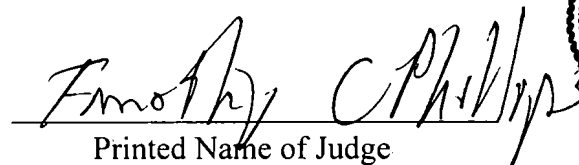
WHEREAS, Investigator Christopher Monico #1368 has filed an Affidavit before the undersigned Judge of the County Court of Lancaster County, Nebraska, and said written Affidavit, having been duly considered, the court finds that the facts set forth in said Affidavit are true, and that those facts do constitute grounds and probable cause for the issuance of a Search Warrant.

THEREFORE, you are commanded to search and seize the items as described in **Attachment A**, hereby attached, and incorporated by reference.

This search warrant shall be executed and returned within ten (10) days to Clerk of the Lancaster District Court, Nebraska. In the event the search and/or seizure of evidence is not completed within ten (10) days, law enforcement is authorized to return the search warrant within ten (10) days upon completion of the search and seizure.

Given under my hand and seal this 17<sup>th</sup> day of January, 2024.

  
Judge of the County Court

  
Printed Name of Judge



JAN 19 2024

FILED

Clerk of District Court

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

STATE OF NEBRASKA )  
 ) ss. AFFIDAVIT FOR SEARCH WARRANT  
COUNTY OF LANCASTER )

Investigator Christopher Monico #1368, being first duly sworn upon oath deposes and states, is a law enforcement officer with the Lincoln Police Department, Lincoln, Lancaster County, Nebraska. Your Affiant is currently involved in the investigation of Possession of Methamphetamine with Intent to Deliver (140g or more), 28-416(10)(a), occurring on 11-26-2023, at the U-Stop convenience store, 3244 Cornhusker Highway, Lincoln, Lancaster County, Nebraska.

Attachments

Attachment A: Property to Be Searched

Attachment B: Technical Information Regarding Cellular Telephones and Searches

The above are hereby attached and incorporated by reference.

Affiant's Background

Your Affiant has been a Police Officer for the Lincoln Police Department since 2000. Your Affiant has been investigating misdemeanor and felony crimes with the Lincoln Police Department and has been an Investigator with the Lincoln/Lancaster County Narcotics Task Force since 2014. Your Affiant has training and experience in conducting criminal investigations. Your Affiant has been directly involved in numerous drug investigations and has received training in various types of criminal investigations to include, complex narcotics investigations, undercover narcotics investigations, digital evidence recovery, and analysis of cellular telephones.

This Affidavit is submitted in support of a search warrant. Your Affiant may not have set forth every fact known to your Affiant regarding this investigation. The information contained in this Affidavit is from your Affiant's investigation and may include information provided by other law enforcement or others.

### Case Facts

On 11-26-2023 at 0050 hours, Lincoln Police Officers were dispatched to the U-Stop convenience store, 3244 Cornhusker Highway, Lincoln, Lancaster County, Nebraska, regarding a found item. The U-Stop clerk reported locating a bag containing smaller bags of a crystalline substance. The clerk provided Officers with the bag which was observed to contain four individual Modela breastmilk bags, each containing 33 grams of suspected methamphetamine. The clerk believed the bag of suspected methamphetamine belonged to a white female, approximately 5 foot 6 inches tall and weighing approximately 250 pounds, with blonde hair and blue and pink streaks. The clerk said this female was with a black male, approximately 6 foot tall and approximately 180 pounds. The clerk advised that the male and female were at the store at approximately 0010 hours. The clerk stated this female later came back into the store, claiming to have lost her wallet, inside the store, but the clerk denied seeing any wallet.

The clerk described the pair to be driving in a dark blue 4 door Hyundai with in-transits. The clerk stated this male and female are frequent customers at this store and the clerk would contact Police if they returned.

At 0151 hours on 11-26-2023, the store clerk called Lincoln Police dispatch advising the individuals, whom she described earlier, were back at the store. The clerk stated the female came into the store and went into the bathroom. Lincoln Police Officers arrived on location and observed the above-mentioned vehicle, which matched the description previously provided by the store clerk, parked in front of the U-Stop.

A male, later identified as Rodney A. Phillips (DOB: 01-05-1985), exited the vehicle and was taken into custody. Officers smelled the odor of burnt marijuana coming from his person. Officers also observed an open Southern Comfort shooter bottle, that still contained a residual amount of alcohol inside, on the rear passenger floorboard.

Officers conducted a probable cause search of the vehicle and located drugs and drug paraphernalia. Officers located a Ziploc baggie that contained six Modela breastmilk bags, which each contained suspected methamphetamine. These breastmilk bags resembled the baggie previously found by the U-Stop clerk. These quantities of suspected methamphetamine were located inside of a Milwaukee tool pouch, on the rear seat of the vehicle. The baggies of suspected methamphetamine weighed 33 grams, 33.2 grams, 32.8 grams, 33 grams, 32.8 grams, and 33 grams.

Also located on the rear seat, Officers located a Ziploc bag with 49.8 grams of raw marijuana and an open vacuum seal bag containing 120.9 grams of raw marijuana.

Officers located a Super Saver grocery bag containing numerous 2 inch x 2 inch blue baggies and a black digital scale containing marijuana residue.

Officers proceeded inside the U-Stop, where the female, identified as Merry B. Alexandria Bills (DOB: 10-17-1981), was contacted inside the bathroom, and taken into custody. While taking Merry Bills into custody, Officers observed her to be holding a baggie containing 27.1 grams of suspected methamphetamine in her left hand.

During a search incident to arrest, another self-seal bag resembling the bags located by the U-Stop clerk was found on Merry Bills' person. The substance in that bag was field tested and tested positive for amphetamine/methamphetamine. That baggie weighed 32.9 grams. Merry Bills also had 400 US dollars on her person, (1-\$100 dollar bill, 15-\$20 dollar bills).

Merry Bills was advised of her Miranda rights and agreed to speak with Officers. Merry Bills claimed ownership for all the baggies of methamphetamine that had been located. Merry Bills stated Rodney Phillips had simply been driving her around.

Rodney Phillips also waived his Miranda rights and spoke to Officers. Rodney Phillips stated he had no knowledge of the methamphetamine in the vehicle. Rodney said he picked up Merry Bills at approximately North 33rd Street/Holdrege Street at approximately 0000 hours, to give her a ride to 3700 Cornhusker Highway, Lincoln, Lancaster County, Nebraska. Rodney Phillips stated he drove Merry Bills to the U-Stop first, and after a stop at 3700 Cornhusker Highway, Merry Bills told him that she had left her ID and some money in a Ziploc bag at U-Stop store. Rodney Phillips said he remembered seeing a bag, in the area Merry Bills claimed to have left it, but thought it was trash, so he did not investigate it.

Rodney Phillips had an unrelated warrant for his arrest. Rodney Phillips was separately transported to the Lancaster County jail. After Rodney Phillips had been booked into the jail, the transporting Officer checked the backseat of his cruiser and observed a 2 inch x 2 inch, blue baggie that contained suspected methamphetamine, on the back right cruiser floorboard. This substance field tested positive for amphetamine/methamphetamine and weighed 2.5 grams.

This baggie was not present in the cruiser when the Officer conducted his vehicle inspection at the beginning of his shift, and he did not have any other parties in his cruiser prior to taking Rodney Phillips into custody and to jail. Rodney Phillips admitted to having the baggie in his right sock when he was taken into custody, but denied attempting to conceal it. Rodney Phillips claimed the baggie of meth fell out of his sock accidentally.



Merry Bills was transported to the Lancaster County jail. Once at jail, jail staff located an additional \$468 US dollars (21-\$20 dollar bills, 3-\$10 dollar bills, 3-\$5 dollar bills, and 3-\$1 dollar bills) hidden inside Merry Bills' bra.

Merry Bills claimed ownership of a total of 389.8 grams of methamphetamine and a total of \$868 of US currency.

When Merry Bills was searched incident to arrest, Officers located Merry Bills' blue Motorola cellular telephone with a cracked screen, in her right coat pocket. Merry Bills' cellular telephone was gathered as evidence, as Officers believed that her device would contain additional digital evidence about drug purchases and sales being conducted by Merry Bills. This cellular device was tagged as evidence under Q2326484, at the Lincoln Police Department, Property and Evidence Unit, 575 South 10<sup>th</sup> Street, Lincoln, Lancaster County, Nebraska.

Your Affiant reviewed jail calls made by Merry Bills, after her arrest. During these jail calls, Merry Bills talked about several different individuals who owed her money. Merry Bills' boyfriend told her that he would go around and collect that money for her. Merry Bills talked about conducting "drug sales" and mentioned selling drugs to others. While discussing her case with her boyfriend, Merry Bills told her boyfriend that she wasn't supposed to have that much methamphetamine.

Your Affiant and other Investigators have completed proffer interviews with individuals who have named Merry Bills as a source for methamphetamine. During proffer interviews, these individuals stated that they had obtained multiple ounce quantities of methamphetamine from Merry Bills and witnessed her in possession of pound quantities of methamphetamine. These individuals were using cellular telephones to coordinate and set up their drug purchases from Merry Bills.

Your Affiant knows that individuals use their cellular telephones to communicate with others and facilitate the sales and purchases of illegal drugs.

The above does constitute grounds of probable cause for an issuance of a search warrant to search and seize the evidence specifically identified in Attachment A.

Your Affiant would advise the court that the search of cellular devices is a lengthy process requiring special steps to ensure the integrity of the electronic evidence. Therefore, it may not be possible to complete a return for the court within the ten (10) days normally required by the court.

Further AFFLIANT saith not;

Dated this 17 day of January, 2024.

*[Handwritten Signature]* - 1368

LPD Inv. Christopher Monico #1368, AFFLIANT

SUBSCRIBED to in my presence and sworn to before me this 17<sup>th</sup> day of January, 2024.

*[Handwritten Signature]*  
Judge of the County Court

Timothy C Phillips  
Printed Name of Judge



## ATTACHMENT A: Property to Be Searched

Law enforcement and those assisting law enforcement is directed to seize and search the following:

- A blue Motorola cellphone with a cracked screen, to include any digital device within, located in the Lincoln Police Property & Evidence Unit at 575 South 10<sup>th</sup> Street, Lincoln, Lancaster County, Nebraska, labeled with Property Number, Q2326484, and Case Number, C3-105736.

for the following evidence, to include any live and/or deleted data to include including any live and/or deleted data for the time frame of October 16, 2023 to November 26, 2023, specifically for the seizure of following items:

1. Device identifiers, information and configurations.
2. User account information and any associated accounts on the device.
3. Call logs.
4. Contact lists.
5. Short Message Service (SMS), Multimedia Messaging Service (MMS) messages and instant messages.
6. Chat messages from installed applications.
7. Installed applications and their corresponding accounts and data.
8. Images and associated metadata.
9. Videos and associated metadata.
10. Audio files, including voicemails, and associated metadata.
11. Document files and associated metadata.
12. Internet browsing history including bookmarks, searches, browser cookies and other associated cache files.
13. Location data to include cellular tower connections, GPS (Global Positioning System) fixes, waypoints, routes, tracks, maps, and associated metadata.
14. Memos and notes (typed and voice).
15. Passwords, keychains.
16. Databases and file systems.
17. Device activity logs and application usage logs
18. Photographs of the device and any related information or data for this search warrant.

In order to obtain and search the data from the aforementioned device, law enforcement and/or those assisting may:

1. Obtain data from the physical memory of the device itself as well as from any data storage devices housed within the device, specifically Secure Digital (SD) and Subscriber Identification Module (SIM) cards;
2. Obtain data from the aforementioned cellular telephone's active file system, as well as unallocated space as to recover deleted data and file fragments;
3. Obtain data by making unobtrusive revocable setting changes to permit the digital extraction of the data unless the cellular telephone requires disassembly to obtain the desired data which may render the device inoperable;
4. Copy, forensically image, view, photograph, record, and/or conduct forensic analysis of the data obtained;
5. Enlist the aid of non-law enforcement, who are trained in conducting forensic analysis of the data in retrieving and analyzing the data. When files have been deleted, they can be potentially recovered later using forensic tools. A person with familiarity with how cellphones work may, after examining the data, be able to draw conclusions about how the device was used, the purpose of its use, who used it, where, and when; and/or
6. Be required to examine every file and scan its contents briefly to determine whether it falls within the scope of the warrant. This is necessary as it is difficult to know prior to the search the level of technical ability of the device's user and data can be hidden, moved, encoded or mislabeled to evade detection.

## ATTACHMENT B: Technical Information Regarding Cellular Telephones and Searches

Through your Affiant's training and past experience, and from information provided by Electronic Evidence Unit forensic examiners, your Affiant is aware that cellular telephone data can provide valuable insight for Possession with Intent to Deliver Methamphetamine investigations. Cellular telephones are used by the general public for communication, access to and sharing of information, research, socialization, entertainment, mapping, shopping, note taking and other functionality. Your Affiant knows from training and criminal investigation experience that individuals also use cellular telephones for the aforementioned purposes, and as a tool for facilitating criminal activity. The data contained on cellular telephones seized in investigations can provide a wealth of information that can assist investigators in determining identity and culpability of participants, including identifying those with knowledge of a criminal offense or identify those who have aided a criminal participant in the commission of a criminal offense. As such, a cellular telephone possessed by criminal participants can serve both as an instrument for committing crime as well as a storage medium for evidence of the crime, including communications to plan, execute, and otherwise document the commission of a crime.

Your Affiant also knows that such devices are often used to communicate and share data with other users and that such digital data can be transferred between various devices. Your Affiant knows that information associated with such data may show evidence of current, on-going, future, and past criminal activity. Your Affiant knows that this type of information can be used to identify and locate potential victims, witnesses, and co-conspirators.

Your Affiant is aware, from past criminal investigation experience, of numerous instances where cellular telephones were used by criminal participants to communicate via voice, text messaging, social media or other communication applications; instances in which criminal participants utilized cellular telephones to photograph themselves, associates and co-conspirators; instances in which cellular telephones were used by criminal participants to create videos of their criminal activity; instances where criminal participants have used cellular based internet applications to research crimes they have or intend to participate in; instances in which criminal participants have maintained notes within cellular telephones and instances in which criminal participants used global positioning, mapping and other location services to facilitate in-person meetings with co-conspirators or a victim.

On a cellular telephone, data can be created in a matter of moments because most operations can be performed almost instantly, which would be relevant to the incident being investigated. The data can be created intentionally or accidentally by the user, or automatically by the device itself as a part of its regular functioning. Your Affiant seeks to complete a comprehensive and unbiased examination of the data on the device for information which could aid in the investigation; seeking only prescribed information would jeopardize the completeness of the

search as it is typically unknown how the cellular telephone was used or the technical ability and intent of the user before the device has been examined.

Your Affiant knows evidence can remain on the device or media for indefinite periods of time after the communication originally took place, even if deleted by the user. Data generally is stored on the physical memory of the device, but also can be stored on removable storage devices such as Secure Digital (SD) and Subscriber Identification Module (SIM) cards. A forensic examiner may be able to recover information deleted by the user throughout the working life span of the device.

The following are examples of how types of data on digital devices can assist investigators. A full, all-inclusive list would be impossible due to the ever-increasing development of digital devices and their applications.

1. Phone information, configurations, calendar events, notes and user account information which can be used to identify or confirm who owns or was using a cellular telephone. Because of their small size, cellular telephones can easily be passed from one person. As such it is necessary to document evidence that reveals or suggests who possessed or used the device. This evidence is akin to the search for venue items when executing a search warrant at a residence.
2. Call logs can establish familiarity between people involved in an incident. These records are consistently stamped with dates and times which can be significant regarding the reconstruction of the timeline of events regarding an investigation. Associated contact lists stored in the device can provide names to correspond with voice calls as well as other forms of communication. Voicemails can indicate the purpose of the phone call when the phone call was not answered. This information can also be invaluable to establish conspirators, witnesses and suspect information.
3. Communication records from SMS and MMS messaging, chats, instant messages and e-mails can provide invaluable insight to establish an individual's level of culpability and knowledge regarding an investigated incident. It is not uncommon for users to send and receive dozens and even hundreds of messages a day which document the person's activities and can aid in completing an investigation.
4. Data from associated supplemental software applications (apps), both standard and manually installed, stored on the cellular telephone can demonstrate the user's association with investigated people, locations and events. Cellular telephones have the ability to run apps which allow them to increase their functionality. Common programs include social media applications such as Facebook and Twitter as well as messaging applications Snapchat and Facebook Messenger to name a few. These applications are increasingly used as alternative methods for users to communicate from the standard messaging service as they offer additional functionality. Many of these applications are able to

determine the user's geographic location which can be instrumental to completing an investigation.

5. Media files such as images, videos, audio and documents provide first-hand documentation of actions regarding an event. Additionally, files can contain embedded metadata that show additional information which is valuable to investigators such as when and where the file was created. Cellular telephones have the ability to create, store and exchange media with other devices and computers.
6. Internet browsing history including bookmarks, browser cookies and other associated cache files stored on cellular telephones can demonstrate the planning or desire to participate in a crime by documenting the viewing of websites associated with the incident.
7. Cellular tower connections, GPS data, wireless networks, Bluetooth and synchronization logs can associate the cellular telephone with being in proximity of a location or other digital devices. Viewing this data can demonstrate that the device, and thus also its user, was in a location associated with an incident.
8. The user dictionary on a phone contains user generated entries such as names and uncommon words. The presence of these records can demonstrate familiarity with the crime being investigated.
9. Device generated files and data, wholly apart from user-generated files and data, contains electronic evidence pertaining to virtually all actions taken on the digital device, often without any conscious action by the user. This data is stored in multiple databases within a file system, which are determined by the application creating the data. This data includes logs of device use; records of the creation, modification, deletion, and/or sending of files; uses of the internet, such as uses of social media websites and internet searches/browsing; information regarding the user identity at any particular date and time; usage logs and information pertaining to the physical location of the device over time; pointers to outside storage locations, such as cloud storage, or devices to which data may have been removed, and information about how that offsite storage is being used. If the device is synced with other devices, it will retain a record of that action. Digital device users typically do not erase or delete this evidence, because special software or use of special settings are usually required for the task. However, it is technically possible to delete this information.

Your Affiant also requests authority to obtain assistance from a technical specialist, to review the digital device(s) and digital media for the best and least intrusive method of securing digital evidence that the warrant authorizes for seizure, and to assist in securing such evidence. For the technical reasons described, the digital evidence listed above shall be submitted to the Electronic Evidence Unit located at 605 South 10<sup>th</sup> Street, Lincoln, Lancaster County, State of Nebraska for digital forensic processing and analysis, or another location convenient to law enforcement.

Your Affiant knows, as with other types of evidence, the context, location, and data surrounding information in the device data is often necessary to understand whether evidence falls within the scope of the warrant. This type of information will be important to the forensic examiner's ability to piece together and recognize evidence of the above-listed crimes.

Your Affiant knows the forensic examiner may also need the following items in order to conduct a thorough and accurate search of the devices: computer hardware, software, peripherals, internal or external storage devices, power supplies, cables; internet connection and use information; security devices; software; manuals; and related material.

Your Affiant knows that digital devices are constantly changing system data on the device as programmed by their manufacturer. Additionally, your Affiant knows that searching the digital device itself would irreversibly alter data and/or evidence on the device. To search a device for evidence, the commonly accepted best practice of digital forensics is to utilize forensic software to obtain an extraction of the data on the device. Attempts will be made to obtain the devices data by only making unobtrusive revocable changes to the system settings to permit the digital extraction of the data. If necessary, the device may require disassembly to obtain the desired data which may render the device inoperable. These processes do not change or alter any of the user data stored on the device. The extraction is then searched using analysis software to locate, identify, and seize the evidence authorized by this warrant. The device and the image are then preserved in evidence.

The item(s) has/have been stored in a manner in which its/their contents are, to the extent material to this investigation, in substantially the same state as they were when the device(s) first came into the possession of the Lincoln Police Department.

The item(s) to be searched may be delivered to the Electronic Evidence Unit located at 605 South 10<sup>th</sup> Street, Lincoln, Lancaster County, State of Nebraska, or other location, for digital forensic processing and analysis. The Electronic Evidence Unit forensic examiners may designate additional forensic services, as they may deem necessary, to complete the analysis. Once examination and analysis has been completed, the listed evidence shall be returned to the Lincoln Police Department Property Unit, where it will be held until any final disposition by the court or pursuant to Neb. Rev. Stat. §29-820.