

LANCASTER COUNTY

2024 JAN 26 PM 4:24

CLERK OF THE DISTRICT COURT

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

CR24-1

IN THE MATTER OF THE)	RETURN ON ORDER
INVENTORY OF IDENTIFYING)	TO PRODUCE IDENTIFYING
CHARACTERISTICS FROM)	PHYSICAL CHARACTERIS
JOVAN D. THORNTON)	EVIDENCE

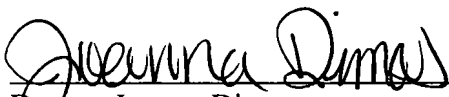
STATE OF NEBRASKA)
)
 County of Lancaster)

ss.

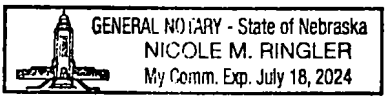
The undersigned states that he/she received the Order to Produce Identifying Physical Characteristic Evidence issued herein on the 24th day of January, 2024 and that he/she did execute the same on the 24th day of January, 2024 by obtaining the evidence described, to-wit:

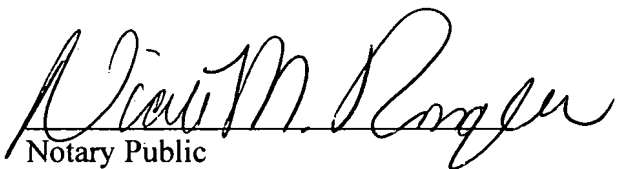
Two buccal swabs from Joshua D. Brokering.

DATED this 25 day of January, 2024.


 Deputy Joanna Dimas

SUBSCRIBED AND SWORN to before me this 25th day of January, 2024.




 Notary Public

C4000542



002107381D02

RECEIPT

The undersigned hereby acknowledges receipt of the following described property seized from Joshua D Brokering at the Lancaster County Adult Detention Facility, 3801 W O St, Lincoln Lancaster County, Nebraska:

2 buccal swabs from Joshua D Brokering

LANCASTER COUNTY
2024 JAN 26 PM 4: 24
CLERK OF THE
DISTRICT COURT

DATED this 24 day of January, 2024.

Joanna Lima
Law Enforcement Officer

Zee Windle
WITNESS

LANCASTER COUNTY
2024 JAN 26 PM 4:24

CLERK OF THE
DISTRICT COURT

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

STATE OF NEBRASKA,
PLAINTIFF,
VS.
JOSHUA D BROKERING,

ORDER TO PRODUCE IDENTIFYING
PHYSICAL CHARACTERISTICS

TO: JOANNA DIMAS, and other law enforcement officers of the Lancaster
County Sheriff's Office

WHEREAS, JOANNA DIMAS has filed an Affidavit before the undersigned
Judge of the County Court of Lancaster County, Nebraska, a copy of which
Affidavit is attached hereto and made a part hereof, the court finds that for
purposes of this Order 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 sexual assault of a child and incest is the subject of said
Affidavit referred to above
2. That there is probable cause to believe that the offense of sexual assault and incest
has been committed.
3. That there is probable cause to believe that Joshua D Brokering committed said
offense.
4. That Identifying Physical Characteristics Sought are 2 buccal swabs of the mouth
5. That Joshua D Brokering has refused, or there is reason to believe that Joshua D
Brokering will refuse, to voluntarily provide the identifying physical
characteristics sought.
6. That Joshua D Brokering is the individual who may be detained for obtaining
such identifying physical characteristics.
7. That Joanna Dimas and other officers of the Lancaster County Sheriff's Office
are the peace officers authorized to obtain such identifying physical
characteristics and to effectuate any detention which may be necessary to obtain
the same.
8. That Joshua D Brokering will be under no legal obligation to submit to any

- interrogation or to make any statement during the period of his appearance.
9. That such identifying physical characteristics may be obtained at the Lancaster County Adult Detention Facility, 3801 W O St, Lincoln, Lancaster County, Nebraska.
 10. That Joshua D Brokering shall appear at the Lancaster County Adult Detention Facility, 3801 W O St, Lincoln, Lancaster County, Nebraska, at such date and time as is designated by Joanna Dimas for the purpose of obtaining the above-mentioned identifying physical characteristics.
 11. That if Joshua D Brokering fails to comply with the request of said Joanna Dimas, the said Joshua D Brokering shall be guilty of contempt of court and be punished accordingly.
 12. That Joshua D Brokering shall be required to stay no longer than one (1) hour for the purpose of Joanna Dimas obtaining the above-mentioned identifying physical characteristics.
 13. That this Order shall remain in force and effect for a period of fifteen (15) days only.
 14. That a copy of this Order shall be served upon Joshua D Brokering.
 15. 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 identifying physical characteristics obtained. If the Order is not executed, a Return shall be filed within 30 days stating the same.

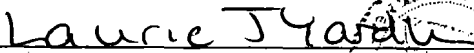
THEREFORE, you are commanded to search the said Joshua D Brokering to produce the aforementioned identifying physical characteristics which constitutes evidence that a criminal offense has been committed, and to seize the same.

GIVEN UNDER MY HAND AND SEAL this 24th day of January, 2024.


BY THE COURT:



JUDGE OF THE COUNTY COURT



PRINTED NAME OF JUDGE



LANCASTER COUNTY
2024 JAN 26 PM 4:24

CLERK OF THE
DISTRICT COURT

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

STATE OF NEBRASKA,
PLAINTIFF,
VS.
JOSHUA D BROKERING,

AFFIDAVIT FOR
ORDER TO PRODUCE IDENTIFYING
PHYSICAL CHARACTERISTICS

COMES NOW, Investigator JOANNA DIMAS of the Lancaster County Sheriff's Office, being first duly sworn upon oath, deposes and states as follows:

1. Your AFFIANT was assigned to investigate a 1st degree sexual assault of a child and incest that occurred at 630 Maple St, Hickman, Lancaster County, Nebraska.
2. Your AFFIANT has reviewed reports of other peace officers involved in the investigation of 1st degree sexual assault of a child and incest and has conducted additional follow up into the investigation of the incident. According to the information that your AFFIANT obtained:

On January 19th, 2024, the Sheriff's Office received DHHS intake #0104404. Joshua Brokering was self-reporting that he was engaging in an inappropriate physical relationship with his adopted daughter, a 12-year-old female furthermore known by her initials of B.A.

Your Affiant knows that Health and Human Services employee Katherine Lantis and Deputy Uzzell, an employee of the Lancaster County Sheriff's Office, currently assigned to the Patrol Division, arrived at 630 Maple St, Hickman, Lancaster County, Nebraska. and spoke with Joshua's wife, Dorothy Brokering. Your Affiant knows that Dorothy told Deputy Uzzell on the night of January 18th, 2024, Joshua took her to that he had inappropriately touched B.A. Dorothy told Katherine Lantis that Josh had taken her out to his office, an outbuilding behind the residence, and stated he was having an inappropriate relationship with B.A. for approximately a week and a half. Dorothy said that Joshua did not provide her further details. Dorothy said that she had warned Joshua to be careful with B.A.,

due to her history of sexual abuse as well as ADHD and attachment issues. Dorothy had witnessed Joshua snuggling on the couch with B.A. and would have to remind him to give her more space. Dorothy said that Joshua had a hard time with this due to his naivety and having been sheltered.

B.A. has an 11-year-old brother, furthermore, known by his initials of P.A. On January 15th, 2024, P.A. had been playing at a neighbor's home and returned to his residence with a friend to play 'Fortnite'. P.A. could not find B.A. or Joshua. P.A. was looking for Joshua to get permission to play and heard the downstairs shower on. P.A. said that he could hear a "moaning sound" coming from the bathroom. P.A. described the moaning as someone not being hurt and knew it was sexual. P.A. thought it was B.A. and then believed Joshua and B.A. were in the shower having sex. P.A. felt uncomfortable and flustered. B.A. then came out of the bathroom with wet hair and Joshua exited the bathroom behind her. P.A. ran to his grandmother, Cheryl Brokering's, home several houses down and told her what he had witnessed. Cheryl then called Joshua and Joshua said that he had been sleeping. Joshua then arrived at Cheryl's home and said that he had actually been in the furnace room. P.A. told Joshua that he knew he was lying as he had seen them standing by the bathroom together and told Joshua that he had heard moaning. Cheryl and Joshua then decided they would not tell Dorothy because it was best for the family, and they needed to keep the family together. Cheryl and Joshua told the children this was what they must do.

During an interview at BraveBe Child Advocacy Center, B.A. stated that Joshua had first started with just hugging her. Joshua started to come into B.A.'s room and lay on her bed and talk about her friends and church. This progressed to back rubs and then Joshua began to remove her shirt for a backrub then her bra and then eventually progressed to them both being naked together. Joshua would touch B.A.'s breasts and vagina. B.A. said this made her feel scared and that she hated it. B.A. would try to push Joshua's hands away or tell him that he needed to go away so she could go to bed. When Joshua would lay in her bed naked with her, she could feel his leg hair poking her and his chest against her. B.A. tried to scoot away but Joshua would follow and hold her against him with his hand over her stomach. Eventually Joshua began to digitally penetrate B.A.'s vagina. Joshua usually came into B.A.'s room at night to molest her. Another time B.A. went out to Joshua's office in the outbuilding to ask for chocolate. B.A. stayed in the office

on the couch to use B.A.'s phone to text a friend and Joshua touched her breasts and digitally penetrated her vagina on this couch. The last time was when P.A. found Joshua and P.A. in the shower. P.A. stated that Joshua had told her to go take a shower since she hadn't. B.A. went into the laundry room and when she turned around Joshua was there. Joshua then took B.A. into the shower and digitally penetrated her vagina. B.A. told Joshua not to and he said to be quiet because he thought P.A. might be home and he didn't want to get caught. After P.A. saw Joshua and B.A. and ran away Joshua told B.A. that they needed to come up with a plan to keep the secret. B.A. Joshua suggested that he say he was in the furnace room scooping kitty litter or was asleep. B.A. told him she did not think that would work because P.A. had heard and seen what was happening. After these things happened B.A. said that she had to wash all of her bedding since Joshua had been on them. B.A. has been sleeping on the floor because she is uncomfortable with being in her bed since Joshua began to molest her. B.A. said that Joshua digitally penetrated her vagina 5 or 6 times before he was caught by P.A. B.A. drew a layout of her home and the outbuilding and detailed her bedroom, the downstairs bathroom and the outbuilding where Joshua has his home office as the places where he molested her.

Joshua was lodged at Lancaster County Adult Detention Facility. Joshua's phone was with him and was seized by the Sheriff's Office in reference to this investigation. Joshua denied consent to download his phone. Joshua also denied consent for a voluntary DNA sample. Your Affiant knows that Joshua has been making phone calls from Lancaster County Adult Detention Facility. In reviewing Joshua's jail calls, the call states that the call will be recorded and is subject to monitoring at any time. On January 22nd, 2024, at 4:53 PM Joshua contacts his wife, Dorothy. Joshua wants to know if he is able to go to his house, specifically his office, when the children are not there. On January 23rd, 2024, at 12:09 PM Joshua contacts his wife Dorothy and wants to see about asking the Judge for favors. Joshua wants to have access to his office when the children are not there and do house repairs. On January 23rd, 2024, at 3:47 PM, Joshua contacted his mother, Cheryl. Joshua is upset that he is being charged with incest since B.A. is his adopted daughter. Joshua states, 'I have a phone I bought as a replacement. It's the same exact phone. It's in my office if you want to go there at some point. Do you want to just make a mental note of where it is? Because I think I know of where exactly to tell you to get it.' Joshua asks Cheryl to ask

Verizon if they can deactivate the SIM card on the device the Sheriff's office seized and if they can activate a new one on the same account. At 14:20 minutes Joshua continues, 'It is in the right set of lockers, ya know. There's two sets right? The right set, it's in the I think the middle door where all the food is. And I think it is on the middle-ish shelf on the left, I think it's like a cardboard box roughly the size of a phone, like an inch thick. You can just pop it open and see the phone right there.' At 15:28 minutes Joshua asks Cheryl to open his laptop screen so that he can access it remotely. Cheryl says that there is a 'laptop here' and Joshua says that is the laptop he uses for 'Email and Facebook and Stuff'. Joshua then tells Cheryl to grab the laptop, computer mouse, computer mouse charger, and backpack. Cheryl asks what the 'code to get in' is and Joshua says, '8888'.

On January 23rd, 2024, your Affiant and Investigators with the Lancaster County Sheriff's Office executed a search warrant at 630 Maple St, Hickman, Lancaster County, Nebraska. Pursuant to the warrant Investigators seized a gray blanket from B.A.'s bedroom. Crime scene techniques showed suspected bodily fluids on this blanket. Investigators also seized a gray couch cushion cover from Joshua's office couch. Crime scene techniques showed suspected bodily fluids from this cushion cover.

Your Affiant knows that B.A. participated in a sexual assault nursing exam at Bryan West Hospital on January 19th, 2024.

3. Your AFFIANT knows that buccal DNA swabs are a way of producing non-testimonial identification evidence regarding the person responsible for the 1st degree sexual assault of a child and incest described herein. The identifying physical characteristics sought from Joshua D Brokering is a sample of his DNA in the form of DNA buccal swabs. The procurement of these identifying physical characteristics is likely to contribute evidence to the further identification of Joshua D Brokering as being the person responsible for the 1st degree sexual assault of a child and incest herein.

The identifying physical characteristics sought can be obtained from Joshua D Brokering at Lancaster County Adult Detention Facility, 3801 W O St, Lincoln, Lancaster County, Nebraska and should require a detention not to exceed one (1) hour.

AFFIANT further states that there is probable cause to believe that Joshua D Brokering is responsible for 1st degree sexual assault as described herein, and in violation of the laws of the State of Nebraska.

4. Your AFFIANT has been advised by Joshua D Brokering that he refuses to voluntarily provide a DNA sample via buccal swabs.

Further your affiant saith not.

DATED this 24 day of January, 2024.


Joanna Dimas

SUBSCRIBED AND SWORN to before me this 24^r day of January, 2024


JUDGE OF THE COUNTY COURT

Laurie J Hardler
PRINTED NAME OF JUDGE

