

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF THE SEARCH)
WARRANT OBTAINED FROM)
A 2021 HONDA HR-V SPORT)
UTILITY VEHICLE NE: ABT901)
VIN: 3CZRU6H57MM734789, LOCATED)
AT 444 CHERRY CREEK, LINCOLN,)
LANCASTER COUNTY, NE)

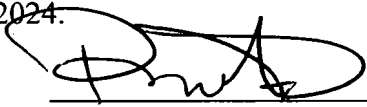
CR 24-1
SEARCH WARRANT
RETURN

LANCASTER COUNTY
2024 MAR 22 PM 3: 03
CLERK OF THE
DISTRICT COURT

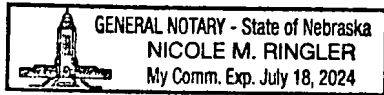
STATE OF NEBRASKA)
)
COUNTY OF LANCASTER) ss.

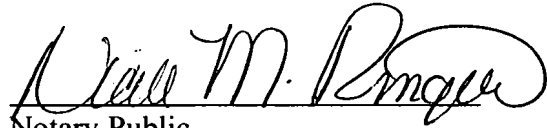
The undersigned states that he/she received the search warrant issued herein on the 8th day of March, 2024 and that he/she executed the same on the 14th day of March, 2024 seized the property/person described in the inventory filed herein and by delivering a copy of the said order for said property/person at the place from which the property/person was taken.

DATE this 20 day of March, 2024.


Deputy Rhonda Wicht

SUBSCRIBED AND SWORN to before me this 20th day of March, 2024.




Notary Public

C4001548





LANCASTER COUNTY

2024 MAR 22 PM 3:03

CLERK OF THE DISTRICT COURT

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF THE SEARCH)
WARRANT OBTAINED FROM)
A 2021 HONDA HR-V SPORT)
UTILITY VEHICLE NE: ABT901)
VIN: 3CZRU6H57MM734789, LOCATED)
AT 444 CHERRY CREEK, LINCOLN,)
LANCASTER COUNTY, NE)

INVENTORY

STATE OF NEBRASKA)
) ss.
County of Lancaster)

Deputy Rhonda Wicht being first duly sworn upon oath, deposes and states the following is an inventory of property seized by virtue of the warrant issued herein:

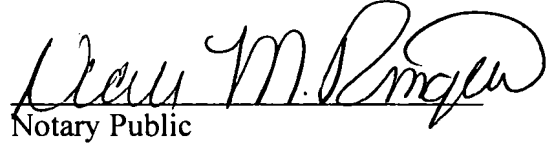
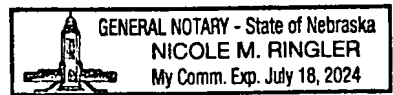
- o Scans
- o Photographs

DATED this 20 day of March, 2024.



Deputy Rhonda Wicht

SUBSCRIBED AND SWORN to before me this 20th day of March, 2024.


Notary Public

C4001548

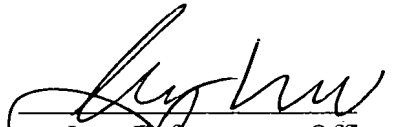
RECEIPT

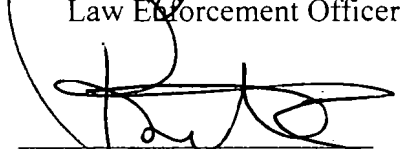
The undersigned hereby acknowledges receipt of the following described property seized from a blue 2021 Honda HR-V sport utility vehicle NE: ABT901 VIN: 3CZRU6H57MM734789 at 444 Cherry Creek, Lincoln, Lancaster County, Nebraska:

Scans
Photographs

LANCASTER COUNTY
2024 MAR 22 PM 3:03
CLERK OF THE
DISTRICT COURT

DATED this 14 day of March 2024.



Law Enforcement Officer


WITNESS

LANCASTER COUNTY

2024 MAR 22 PM 3:03

CLERK OF THE DISTRICT COURT

IN THE COUNTY OF LANCASTER COUNTY, NEBRASKA

STATE OF NEBRASKA)
) ss. SEARCH WARRANT
County of Lancaster)

TO: Rhonda Wicht, a Deputy Sheriff with the Lancaster County Sheriff's Office, Lancaster County, Nebraska, and any and all law enforcement officers.

WHEREAS, Rhonda Wicht, has filed an Affidavit before the undersigned Judge of the County Court of Lincoln, 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 a blue 2021 Honda HR-V sport utility vehicle NE: ABT901 VIN: 3CZR06H57MM734789 located at 444 Cherry Creek, Lincoln, Lancaster County, Nebraska, for the following items:

- (1) tires, (2) occupant seats and safety restraints, (3) dashboard, (4) vehicle lights, (5) maintenance and/or repair paperwork, (6) windshield, (7) brake and accelerator pedals, (8) any evidence of drugs/alcohol both in the interior and the exterior portions of the vehicle, (9) any cellular telephones or other electronic communication devices, (10) any electronically recorded crash/vehicle operations data, (11) any hairs, fibers, blood, or trace evidence located in the interior or exterior of the vehicle, and (12) proof of ownership.

Your AFFIANT is authorized to measure, photograph, video tape, and seize the aforementioned items.

This search warrant shall be executed and returned within ten (10) days to a Judge of the County Court of Lancaster County, Nebraska.

Given under my hand and seal this 21st day of March, 2024.

[Signature]
Judge of the County Court
Holly J. Forsey
Printed Name of Judge



LANCASTER COUNTY

2024 MAR 22 PM 3:03

CLERK OF THE DISTRICT COURT

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

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

Rhonda Wicht, being first duly sworn upon oath deposes and states that she is a Deputy Sheriff with the Lancaster County Sheriff's Office, Lancaster County, Nebraska. AFFIANT further states she is currently involved in the investigation of critical injury collision, occurring at near the intersection of 10401 Highway 6, Lancaster County, Nebraska. As part of the investigation, AFFIANT has consulted with other involved law enforcement and reviewed case reports. AFFIANT states as follows:

Facts:

On 02-26-2024 at 1625 hours, Lancaster County Sheriff's Office deputies were dispatched to 10400 block of Highway 6 on a rescue alarm. Dispatch advised a semi-tractor had rolled after colliding with other vehicles. The semi-tractor driver advised an ambulance was needed. Deputy Brownell was the first to arrive on scene at 1630 hours and immediately requested StarCare and advised agonal breathing from the driver of the white sedan struck by the semi-tractor. The collision ultimately involved five vehicles and included a large debris field:

- blue 2022 Hyundai Accent NE: AFB327 VIN: 3KPC24A63NE185970
-white 2019 Toyota Corolla LE NE: YJG391 VIN: 2T1BURHE6KC161849
-yellow 2014 Freightliner Cascadia 125 Tractor VIN: 3AKJGEDVXESFJ5855
with attached 2002 Coras Welding Shop Inc Predator trailer
VIN:4C9C5GK27NS071139
-white 2017 Chevrolet Silverado K3500 NE: YYN561 VIN:1GB4KYCY0HF189354
with attached black 2007 Continental 4-wheel 10x18 F' bed utility trailer
NE: XUV057 VIN; 4KNUC18277L161398
-blue 2021 Honda HR-V sport utility vehicle NE: ABT901 VIN: 3CZRU6H57MM734789.

Deputy Lesan arrived on scene at 1642 hours and assumed the lead investigative role. Deputy Lesan provided the following summary of events of the crash. A blue 2022 Hyundai Accent was stopped eastbound in the outside lane of Hwy 6 at the Haleon intersection for a red light. A white 2019 Toyota Corolla was also in the outside lane and stopped/nearly stopped behind the Hyundai eastbound. An eastbound U Pull It semi-tractor with trailer containing 15 crushed vehicles did not stop for the stopped vehicles or the red light. The semi-tractor with trailer struck the Toyota and pushed the Toyota into the Hyundai. The Hyundai spun into the

south ditch. The semi-tractor pushed the Toyota into on-coming westbound traffic. The Toyota struck a trailer pulled by a westbound Stephens and Smith work truck. As the semi with trailer crossed the median it started to overturn onto its passenger side spilling the 15 crushed vehicles. A westbound 2021 blue Honda HR-V took evasive action to avoid being struck by the semi-tractor or trailer and made a U-turn into the north ditch. The semi struck the driver side of the Honda and either the semi or the spilling load broke out the back window. Julie Hefner (DOB: 12-31-1977) was trapped in the Toyota Corolla and had to be extricated. She was life flighted by StarCare to Bryan Health West and is currently in the Intensive Care Unit.

Jason Rumbaugh (DOB: 08-13-1983) was the driver of a blue 2022 Hyundai Accent eastbound in outside lane. He works for Nebraska Public Media He was coming from work and going home to Omaha with front passenger Preston Fischer. He slowed due to the advanced warning beacons and saw the light go from yellow to red. He came to a complete stop. He said the white vehicle behind him came to a stop. The semi then struck the white vehicle and then he was struck. His vehicle spun and came to a stop. By the time his vehicle stopped spinning, the semi had turned over. He was wearing a seatbelt and no airbag deployed. He declined treatment from Waverly and said he had no injuries.

Preston Fischer (DOB: 06-08-1968) passenger in Rumbaugh's vehicle was interviewed. He saw the light had turned red. He said Rumbaugh came to a stop. Then there was an impact and the vehicle spun at least 1.5 times. He did not talk to anyone. He was wearing a seatbelt and no airbag deployed. He declined treatment from Waverly and said he had no injuries.

Obed Gomez-Diaz (DOB: 10-25-1999) driver of the U Pull It semi-tractor and trailer said he was not distracted while he was driving. Gomez-Diaz reported to dispatch semi wouldn't stop due to load. Vehicle came to rest after rolling onto passenger side.

Oscar Hurtado (DOB: 07-25-1977) was the driver of a westbound Stephens and Smith work truck pulling a trailer with mini-backhoe on it in the inside lane of Hwy 6. The passenger in vehicle was Gildardo Horta. Hurtado said he had turned off the interstate and was going to Hamilton Equipment to return equipment. Hurtado said he slowed for the red light. He saw the semi hit a car and the car went forward. He tried to avoid being hit and moved forward, but the trailer was hit by the white car. He then stopped by braking. He was wearing his seatbelt, no airbags deployed, and he said he had no injuries.

Gildardo Horta (DOB: 12-15-1969) was the front passenger in the Stephens and Smith vehicle. He thought the light was orange and they were almost to a stop. He said a big trailer couldn't stop and he turned away and shielded his face because he was very scared about being hit. He got out and tried to help the lady in the white car by trying to open the door. He and Hurtado helped the semi driver out.

Lauren Secilmis (DOB: 02-11-2000) was the driver of a 2021 blue Honda HR-V westbound in outside lane approach the lights at Haleon. She saw advanced warning beacons and thought the lights were changing from red to green shortly. She believed she was going 25-30 mph due to the light. She saw the semi coming into her lane. She took evasive action by U-turning into the ditch. The semi hit driver's door of her vehicle. She thought either the semi or one of the cars that came out of the back of the trailer hit the back of the Honda. She was transported to St. Elizabeth by Waverly Rescue because she thought she had inhaled some of the broken glass. She was wearing her seatbelt and there was no airbag deployment.

Stacey Romick-Imig (DOB: 03-22-1963) was a witness. Sgt. Gaston advised a trooper interviewed her and handed over the information. She was westbound on Hwy 6 and saw a truck swerve into her lane of travel. She saw debris and the truck roll on its side.

Eli Willms (DOB: 05-25-1977) was a witness eastbound on Hwy 6 in a black F150 behind the involved semi. He was following the semi and could not see the intersection lights until after the semi went through the intersection. He said he saw the light was red after the semi went through and saw debris flying up. Willms said he was going approximately 55 mph and thought the semi was going slower than 55 at approximately 50 mph. Willms did not see any brake lights on the semi prior to the crash and didn't see or hear any tires locking up prior to the crash. He contacted the driver after the crash and the semi driver told him his brakes were not working and he tried to avoid the crash.

Mark Rose (DOB: 04-18-1992) was a witness northbound leaving the Haleon business in NE: VRV634 to turn onto Hwy 6. Rose said his light was green, turning yellow. He saw the that the semi went through the intersection with two cars in front of it. Rose said the semi started to overturn at or after the median. Rose talked to the people in the blue car that was pushed through the intersection. Rose said many people were at the overturned semi so he did not go over there.

Deputy Lesan talked to employees of Haleon and they said that the camera on their intersection is functional and some had already watched the video. Deputy Lesan was given contact information for Scott Grau (402-610-2363) who works 0700 to 1700 to request video. This affiant obtained video from Haleon 02-27-24 and reviewed it.

Scott McCormick an employee of U Pull It and said the semi was loaded with the 15 crushed cars at the 70 Street Lincoln location and was going to the 60th Street location in Omaha. He told Trooper Ko it was weighed at 80,000 lbs before leaving the Lincoln lot. I arranged with him that Trooper Ko could weigh the flatbed semi the company had sent, then they could load the 15 crushed cars that came out of the trailer on to it, and it would be weighed again

by Trooper Ko. He wanted his tow company to tow the semi-tractor and trailer to their lot but was told that was not going to happen. Trooper Ko weighed the trailer before and after the cargo was loaded and found the cargo was 44,900 lbs.

Nebraska State Trooper Ko was on scene and started evaluating the semi. He found that the brakes were engaged. Trooper Ko supervised the semi as it was turned upright. He also followed the semi to Midwest Towing with me. The Stephens and Smith truck and trailer was transported to Midwest Towing at the same time.

The above does constitute grounds of probable cause for the issuance of a Search Warrant for a blue 2021 Honda HR-V sport utility vehicle NE: ABT901 VIN: 3CZRU6H57MM734789 located at 444 Cherry Creek, Lincoln, Lancaster County, Nebraska, in order to inspect said vehicle for any defects mechanical, electrical, or otherwise, including but not limited to defects in the braking and safety systems and to search and seize the following if necessary: (1) tires, (2) occupant seats and safety restraints, (3) dashboard, (4) vehicle lights, (5) maintenance and/or repair paperwork, (6) windshield, (7) brake and accelerator pedals, (8) any evidence of drugs/alcohol both in the interior and the exterior portions of the vehicle, (9) any cellular telephones or other electronic communication devices, (10) any electronically recorded crash/vehicle operations data, (11) any hairs, fibers, blood, or trace evidence located in the interior or exterior of the vehicle, and (12) proof of ownership.

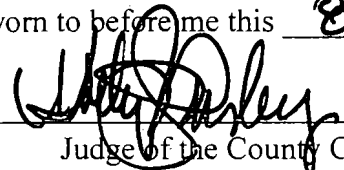
Your AFFIANT is authorized to measure, photograph, video tape and seize the aforementioned items.

Further AFFIANT saith not;

Dated this 8 day of March, 2024.


Rhonda Wicht, AFFIANT

SUBSCRIBED to in my presence and sworn to before me this 8th day of March, 2024.


Judge of the County Court

Holly J. Farsky
Printed Name of Judge

