

APR 22 2024

Clerk of the District Court

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

CR 24-1

IN THE MATTER OF THE)
INVENTORY OF IDENTIFYING)
CHARACTERISTICS FROM)

Lamont Stuart, DOB: 02-13-1982)

RETURN ON ORDER TO
PRODUCE IDENTIFYING
PHYSICAL
CHARACTERISTICS
EVIDENCE

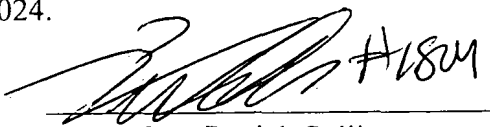
STATE OF NEBRASKA)
County of Lancaster)

ss.

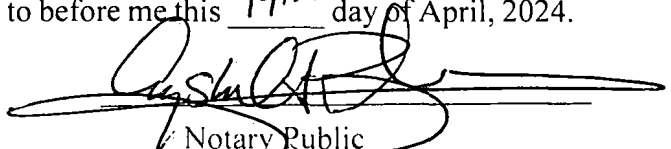
The undersigned states that she received the Order to Produce Identifying Physical Characteristic Evidence issued herein on the 19th day of April, 2024 and that he/she did execute the same on the 19th day of April, 2024 by obtaining the evidence described, to-wit:

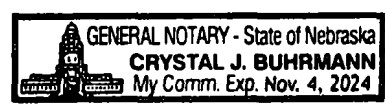
DNA swabs

DATED this 19th day of April, 2024.


Inv. Patrick Sullivan

SUBSCRIBED AND SWORN to before me this 19th day of April, 2024.


Notary Public



C4-030141



002107664D02



APR 22 2024

Clerk of the District Court

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

STATE OF NEBRASKA,
PLAINTIFF,

VS.

Lamont Stuart, DOB: 02-13-1982

ORDER TO PRODUCE IDENTIFYING
PHYSICAL CHARACTERISTICS

TO: Patrick Sullivan, and other law enforcement officers of the Lincoln Police Department

WHEREAS, Patrick Sullivan 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 THEFT BY RECEIVING \$5000/MORE 28-517(F2A) is the subject of said Affidavit referred to above
2. That there is probable cause to believe that the offense of THEFT BY RECEIVING \$5000/MORE 28-517(F2A) has been committed.
3. That there is probable cause to believe that Lamont Stuart committed said offense.
4. That Identifying Physical Characteristics Sought is/are buccal DNA swabs.
5. That Lamont Stuart has refused to voluntarily provide the identifying physical characteristics sought.
6. That Lamont Stuart is the individual who may be detained for obtaining such identifying physical characteristics.
7. That Patrick Sullivan and other officers of the Lincoln Police Department 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 Lamont Stuart 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 3801 W O Street, Lincoln, Lancaster County, Nebraska.
10. That Lamont Stuart shall appear at the 3801 W O Street, Lincoln, Lancaster County, Nebraska, at such date and time as is designated by Patrick Sullivan for the purpose of obtaining the above-mentioned identifying physical characteristics.
11. That if Lamont Stuart fails to comply with the request of said Patrick Sullivan, the said Lamont Stuart shall be guilty of contempt of court and be punished accordingly.
12. That Lamont Stuart shall be required to stay no longer than one (1) hour for the purpose of Patrick Sullivan 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 Lamont Stuart.
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 Lamont Stuart 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 19th day of April,
2024

BY THE COURT:

JUDGE OF THE COUNTY COURT

Rodney D. Reuter
PRINTED NAME OF JUDGE



APR 22 2024

Clerk of the District Court

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

STATE OF NEBRASKA,
PLAINTIFF,
VS.

Lamont L Stuart, DOB: 02-13-1982

AFFIDAVIT FOR
ORDER TO PRODUCE IDENTIFYING
PHYSICAL CHARACTERISTICS

COMES NOW, Investigator Patrick Sullivan of the Lincoln Police Department, being first duly sworn upon oath, deposes and states as follows:

1. Your AFFIANT was assigned to investigate a THEFT BY RECEIVING \$5000/MORE 28-517(F2A) that occurred at 5530 Grouse Place Lincoln, Lancaster County, Nebraska.

2. Your AFFIANT has reviewed reports of other peace officers involved in the investigation of THEFT BY RECEIVING \$5000/MORE 28-517(F2A) and has conducted additional follow up into the investigation of the incident. According to the information that your AFFIANT obtained:

On April 10, 2024 at approximately 6:15 a.m., Morgan McDonald (DOB: 09-06-2002) reported to the Lincoln Police Department that her 2007 silver Lexis RX 400 H SV, License Plate: AFX218 (VIN: JTJHW31UX72016867) had been broken into while parked in the driveway of her home at 5530 Grouse place. At approximately 7:00 a.m. Morgan came back out to the vehicle and it was no longer in the driveway.

On April 11, 2024 at approximately 6:23 p.m., Illiana Maxwell (DOB: 10-13-2002) stated she observed the 2007 Silver Lexis stuck on the railroad tracks by 1040 Y Street in Lincoln, Lancaster County, Nebraska. Illiana stated it appeared the Lexis tried to keep driving, but it couldn't. Illiana stated she observed a black male wearing a blue hoodie and white shorts get out of the driver's seat and run away. Illiana took pictures of this male. Illiana stated there was only one occupant of the vehicle. Inv. Buhrman #1828 located Lamont Stuart matching this description in the area of Transformation and Antelope Valley. During a search incident to arrest, police found a 7 Brew gift card with Morgan's name on it in Stuart's wallet. Morgan later confirmed this was her gift card. At the scene Officer Kernan #1962 read Stuart his Miranda rights and he waived them.

Stuart was transported to the Hall of Justice, 575 S 10th Street and placed in interview room four. Inv. Buhrman and Your Affiant interviewed Stuart. Stuart originally denied being in the Lexis. Stuart then stated he heard a sound and

observed the vehicle on the train tracks. Stuart stated he then rummaged through the vehicle. Stuart then admitted to being in the passenger seat of the vehicle and a guy named 'Smoke' was the driver of the vehicle. When confronted about how a witness saw only him leave the vehicle, he continued to deny being the driver. DNA swabs were collected of the steering wheel, the gear shift, and of the inside door handle from the Lexis and tagged into property under Q2407346.

3. Your AFFIANT knows that buccal DNA swabs are a way of producing non-testimonial identification evidence regarding the person responsible for the THEFT BY RECEIVING \$5000/MORE 28-517(F2A) described here. The identifying physical characteristics sought from Lamont Stuart is a sample of his DNA in the form of DNA buccal swabs. Law Enforcement would like to have these DNA swabs from the Lexis and the Ford compared to Lamont Stuart. The procurement of these identifying physical characteristics is likely to contribute evidence to the further identification of Lamont Stuart as being the person responsible for the THEFT BY RECEIVING \$5000/MORE 28-517(F2A) herein.

The identifying physical characteristics sought can be obtained from Lamont Stuart at 3801 W O Street, 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 Lamont Stuart is responsible for THEFT BY RECEIVING \$5000/MORE 28-517(F2A) as described herein, and in violation of the laws of the State of Nebraska.

4. Your AFFIANT has been advised by Lamont Stuart that he has refused to voluntarily provide a DNA sample via buccal swabs.

Further your affiant saith not.

DATED this 19th day of April, 2024.



Patrick Sullivan

SUBSCRIBED AND SWORN to before me this 19th day of April, 2024


JUDGE OF THE COUNTY COURT

Rodney D. Renter
PRINTED NAME OF JUDGE

