

RECEIPT

The undersigned hereby acknowledges receipt of the following described property seized from 1140 O Street, Lincoln, Lancaster County, Nebraska:

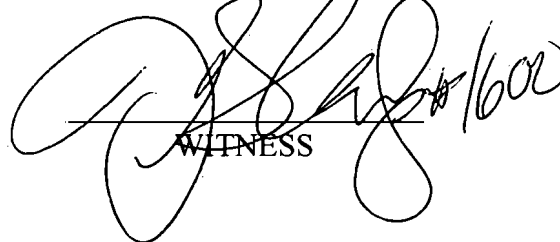
1 Hikvision DVR 5TB
1 Power Cord

LANCASTER COUNTY
2024 JAN 31 PM 4:12
CLERK OF THE
DISTRICT COURT

DATED this 23rd day of January, 2024.



Law Enforcement Officer



WITNESS

IN THE COUNTY OF LANCASTER COUNTY, NEBRASKA

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

TO: Brian Gruber, an Investigator for the Lincoln Police Department in Lincoln, Lancaster County, Nebraska, and any and all law enforcement officers.

WHEREAS, Brian Gruber, 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.

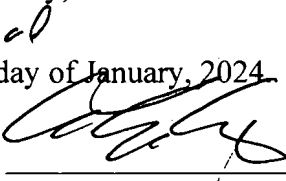
THEREFORE, you are commanded to search 1140 O Street in Lincoln, Lancaster County, Nebraska, for the following items:

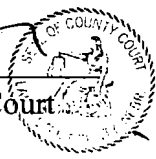

A Hikvision DVR System

Law enforcement 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 23rd day of January, 2024.



Judge of the County Court



Printed Name of Judge

LANCASTER COUNTY
2024 JAN 31 PM 4:12
CLERK OF THE
DISTRICT COURT

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

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

Brian Gruber, being first duly sworn upon oath deposes and states that he is a Investigator for the Lincoln Police Department, Lancaster County, Nebraska. AFFIANT further states he is currently involved in the investigation of a second Degree Assault 28-309 (F3) occurring at 1140 O Street in Lincoln, Lancaster County, Nebraska. As part of the investigation, AFFIANT has consulted with other involved law enforcement and reviewed case reports. AFFIANT states follows:

LANCASTER COUNTY
2024 JAN 31 PM 4:12
CLERK OF THE DISTRICT COURT

Facts:

On 01-01-2024 at approximately 0003 hours, Officers with the Lincoln Police Department and Lincoln Fire and Rescue were dispatched to the Gravity Bar, 1140 O Street in Lincoln, Lancaster County, Nebraska on a report of a male that had been stabbed. Officers arrived on scene and located the victim, Javion Causey (11-19-2001). Javion was found to have two large stab wounds to his back and one stab wound to the top of his head. Life saving measures were performed on Javion and he was transported to Bryan West Medical Center, 2300 S 16th Street in what was believed to be life threatening condition.

Javion was confirmed to have two large open stab wounds to his back, a stab wound to the top of his head, a minor puncture wound to his left arm, and a small abrasion to his left shoulder. The most concerning stab wound on his back was near his left shoulder blade and was measured at 8 centimeters long, was approximately 2 inches deep and 2-3 inches wide. This stab wound required 11 staples to be closed. The second stab wound to his back was near the center of his back and measured 5 1/2 centimeters long. This wound was approximately 2 inches deep and 2-3 inches wide. This stab wound required 6 staples to be closed. The stab wound on Javion's head measured 2 centimeters long. The stab wound to his head required 4 staples to close. Once Javion was medically stable, he was

interviewed. Javion identified the person responsible for the stabbing as LeeAaron Berks (05-07-2001).

Javion stated he has had problems with LeeAaron in the past. Javion stated he wanted to end the feud with LeeAaron and stated he approached LeeAaron inside of the Gravity Bar. LeeAaron became upset and began assaulting him. Javion stated LeeAaron pushed him in the chest and attempted to punch him in the face. Javion stated they began fighting inside of the bar. Javion stated he punched LeeAaron 3-4 times, then felt a sharp pain to his back. Javion stated LeeAaron was reaching over him and stated he thought he was hitting his back. Javion stated he then observed that LeeAaron had a pocketknife in his hand as he was attempting to stab him with the knife in his chest. Javion stated he was able to grab LeeAaron's hand that had the knife in it and struggled with him to stop him from stabbing him in the chest. The incident was then broken up by bouncers and Javion stated he found that he had been stabbed and not punched in the back by LeeAaron. Javion confirmed LeeAaron's identity from a recent DMV photograph. Your Affiant also observed that Javion and LeeAaron have been contacted together from a prior assault case. Officers at the scene of this incident were able to locate witnesses, who were identified and provided corroborating statements from how Javion described the assault. The witness's description of the person responsible matched the description of LeeAaron. A witness described observing the person responsible going around the back of the victim and moving in a downward stabbing motion on the victim's back.

During this investigation, a district court order was obtained which contained historical location data from the night of this incident and call logs/message logs from LeeAaron's known phone number. Your Affiant is aware that during LeeAaron's arrest, his cellphone was seized on his person and confirmed to be the cellphone the court order was served on. While reviewing the court order, the location data places LeeAaron in the area of 1140 O Street in Lincoln, Lancaster County, Nebraska at the time of the stabbing and shows him leaving the area after the stabbing. LeeAaron was arrested for 2nd Degree Assault and during the arrest process, admitted to being at the Gravity Bar and involved in an altercation.

Following this incident, your Affiant contacted the owner of the Gravity Bar, Ariel Washington (10-09-1985), who stated the establishment has surveillance video of the incident and agreed to show your Affiant the video. Your Affiant met with Washington at the Gravity Bar, 1140 O Street on 01-05-2024 and viewed the video from a surveillance video monitor screen. Your Affiant observed that this incident and physical altercation is caught on several surveillance cameras inside and outside of the establishment. Your Affiant attempted to obtain the surveillance video, which was unsuccessful. Your Affiant contacted a member of the Video Forensic Unit at the Lincoln Police Department and requested they obtain the video with consent from Washington. During this investigation, Forensic Unit Tech Keller contacted Washington a minimum of eight (8) times to obtain the video and Washington quit responding to requests. During this process, Keller identified the surveillance camera system as a Hikvision DVR system. Your Affiant states that probable cause exists to enter the Gravity Bar and seized the DVR system.

Your Affiant knows from prior training and experience that the DVR system in the Gravity Bar can store surveillance video and that the video can be extracted from the device by staff of the Lincoln Police Department, 575 S 10th Street in Lincoln, Lancaster County, Nebraska.

The above does constitute grounds of probable cause for the issuance of a Search Warrant for 1140 O Street in Lincoln, Lancaster County, Nebraska, for the following items:

A Hikvision DVR System

Your AFFIANT requests authorization to measure, photograph, video tape and seize the aforementioned items.

Further AFFIANT saith not;

Dated this 23rd day of January, 2024.

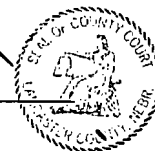
[Signature] 1886

Inv. Brian Gruber #1856, AFFIANT

SUBSCRIBED to in my presence and sworn to before me this 23rd day of

January, 2024.

[Signature]



Judge of the County Court

[Signature]

Printed Name of Judge