

LPD Case Number: C4-000001

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

CR24-1

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

SEARCH WARRANT RETURN

LANCASTER COUNTY  
2024 FEB 15 PM 2:59  
CLERK OF THE  
DISTRICT COURT

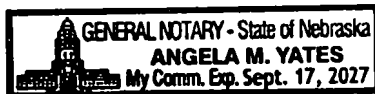
STATE OF NEBRASKA     )  
  )     ss.  
COUNTY OF LANCASTER    )

The undersigned states that he received the Search Warrant issued herein on the 7th day of February, 2024, and that he executed the same on the 8th day of February, 2024, by seizing the property described in the Inventory filed herein and by delivering a copy of the Search Warrant for the said property at the place from which the property is taken.

*Corey R. Weinmaster #883*  
Inv. Corey Weinmaster #883

SUBSCRIBED to in my presence and sworn to before me this 15th day of February, 2024.

*Angela M. Yates*  
Notary Public



002162784D02

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**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.

Hikvision DVR under Q2401333

- 165 .MP4 video clips

LANCASTER COUNTY  
2024 FEB 15 PM 2:59  
CLERK OF THE  
DISTRICT COURT

Date 2/8/24

*Greg R. Starnath #883*  
Law Enforcement Officer

Witness *[Signature]* 92163

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 a Hikvision DVR System located in the Lincoln Police Department Property Unit under Lincoln Police Department Property Report Q2401333. in Lincoln Lancaster County, Nebraska, for the following items:

Video Surveillance from 0700 hours on December 30<sup>th</sup> 2023 through 2359 hours on January 2<sup>nd</sup> 2024.

Law enforcement is authorized to measure, photograph, video tape, and seize the aforementioned items.

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 10<sup>th</sup> Street in Lincoln, Lancaster County, Nebraska.

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 7<sup>th</sup> day of February 2024.

LANCASTER COUNTY  
2024 FEB 15 PM 2:59  
CLERK OF THE  
DISTRICT COURT

*[Signature]*  
Judge of the County Court

Laurie J Yards  
Printed Name of Judge



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

**STATE OF NEBRASKA )**

**) ss. AFFIDAVIT FOR SEARCH WARRANT**

**COUNTY OF LANCASTER )**

CLERK OF THE  
DISTRICT COURT

2024 FEB 15 PM 2:59

LANCASTER COUNTY

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 as follows:

**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 2<sup>nd</sup> 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.

On 01-23-2024 at 1600 hours, Investigators with the Lincoln Police Department served a search warrant at the Gravity Bar, 1410 O Street in Lincoln, Lancaster County, Nebraska to obtain the DVR recording system. Your Affiant ultimately seized a Hikvision DVR System and power cord. While seizing the DVR system, your Affiant observed that it was connected to a monitor and several cords. Your Affiant removed the Hikvision system from the business and transported it to the Lincoln Police Department Property Unit located at 575 S 10<sup>th</sup> Street in Lincoln, Lancaster County, Nebraska. Your Affiant turned the DVR system over to Property Staff and it was assigned a property number, Q2401333.

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 10<sup>th</sup> Street in Lincoln, Lancaster County, Nebraska.

The above does constitute grounds of probable cause for the issuance of a Search Warrant for the Hikvision DVR System which is located in the Lincoln Police Department Property Unit in Lincoln, Lancaster County, Nebraska under Lincoln Police Department Property Report Q2401333. Your Affiant states that probable cause exists to extract surveillance video from the system from December 30<sup>th</sup> 2023 to January 2<sup>nd</sup>, 2024. Your Affiant states at the time stamp is

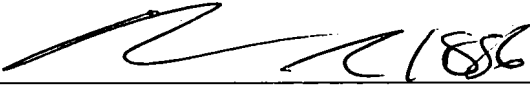
incorrect on the DVR System and is requesting additional dates and times to search for the stabbing.

Your Affiant would like to advise the court that the examination of digital 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 10 days normally required by the court.


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

Further AFFIANT saith not;

Dated this 7<sup>th</sup> day of February, 2024.

  
Inv. Brian Gruber #1856, AFFIANT

SUBSCRIBED to in my presence and sworn to before me this 7<sup>th</sup> day of February, 2024.

  
Judge of the County Court

Laurie J Gardner  
Printed Name of Judge 