

LPD Case Number: C4-011715

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

C24-1

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

SEARCH WARRANT RETURN

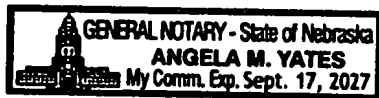
LANCASTER COUNTY
2024 FEB 15 PM 2:59
CLERK OF THE
DISTRICT COURT

STATE OF NEBRASKA)
)
) ss.
COUNTY OF LANCASTER)

The undersigned states that he received the Search Warrant issued herein on the 13th day of February, 2024, and that he executed the same on the 15th 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 Weinmaster #883
Corey Weinmaster

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



Angela M. Yates
Notary Public



002162785D02

INVENTORY

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

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

STATE OF NEBRASKA)
)
) ss.
COUNTY OF LANCASTER)

INVENTORY OF PROPERTY
SEIZED BY VIRTUE OF THE
SEARCH WARRANT ISSUED HEREIN

Corey Weinmaster, being first duly sworn on oath, deposes and says the following is an inventory of the property seized by virtue of the Search Warrant issued herein:

The following is 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 10th Street, Lincoln, Lancaster County, Nebraska.

Blu View 2 under Q2318339
- No Data Obtained

Inventory made in the presence of Derek Dittman.

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

Corey R. Weinmaster #883
Corey Weinmaster

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



Angela M. Yates
Notary Public

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 10th Street, Lincoln, Lancaster County, Nebraska.

Blu View 2 under Q2318339

- No Data Obtained

LANCASTER COUNTY
2024 FEB 15 PM 3:00
CLERK OF THE
DISTRICT COURT

Date 2/15/24

Cory C. Newirth #551
Law Enforcement Officer

Witness  551

IN THE COUNTY OF LANCASTER COUNTY, NEBRASKA

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

TO: Investigator Christopher Monico #1368, a law enforcement officer with the Lincoln Police Department, Lancaster County, Nebraska, and any and all law enforcement officers and agents thereof.

WHEREAS, Investigator Christopher Monico #1368 has filed an Affidavit before the undersigned Judge of the County Court of 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 and seize the items as described in **Attachment A**, hereby attached, and incorporated by reference.

This search warrant shall be executed and returned within ten (10) days to Clerk of the Lancaster District Court, Nebraska. In the event the search and/or seizure of evidence is not completed within ten (10) days, law enforcement is authorized to return the search warrant within ten (10) days upon completion of the search and seizure.

Given under my hand and seal this 13 day of February, 2024.



[Handwritten Signature]

Judge of the County Court

Joseph A. [Handwritten]

Printed Name of Judge

LANCASTER COUNTY
2024 FEB 15 PM 3:00
CLERK OF THE
DISTRICT COURT

ATTACHMENT A: Property to Be Searched

Law enforcement and those assisting law enforcement is directed to seize and search the following:

- A black and blue TracFone, located in the Lincoln Police Property & Evidence Unit at 575 South 10th Street, Lincoln, Lancaster County, Nebraska, labeled with Property Number, Q2318339, labeled with Case Number, C3-071929.

for the following evidence, to include any live and/or deleted data to include including any live and/or deleted data for the time frame of July 11, 2023 to August 13, 2023, specifically for the seizure of following items:

1. Device identifiers, information and configurations.
2. User account information and any associated accounts on the device.
3. Call logs.
4. Contact lists.
5. Short Message Service (SMS), Multimedia Messaging Service (MMS) messages and instant messages.
6. Chat messages from installed applications.
7. Installed applications and their corresponding accounts and data.
8. Images and associated metadata.
9. Videos and associated metadata.
10. Audio files, including voicemails, and associated metadata.
11. Document files and associated metadata.
12. Internet browsing history including bookmarks, searches, browser cookies and other associated cache files.
13. Location data to include cellular tower connections, GPS (Global Positioning System) fixes, waypoints, routes, tracks, maps, and associated metadata.
14. Memos and notes (typed and voice).
15. Passwords, keychains.
16. Databases and file systems.
17. Device activity logs and application usage logs
18. Photographs of the device and any related information or data for this search warrant.

In order to obtain and search the data from the aforementioned device, law enforcement and/or those assisting may:

1. Obtain data from the physical memory of the device itself as well as from any data storage devices housed within the device, specifically Secure Digital (SD) and Subscriber Identification Module (SIM) cards;
2. Obtain data from the aforementioned cellular telephone's active file system, as well as unallocated space as to recover deleted data and file fragments;
3. Obtain data by making unobtrusive revocable setting changes to permit the digital extraction of the data unless the cellular telephone requires disassembly to obtain the desired data which may render the device inoperable;
4. Copy, forensically image, view, photograph, record, and/or conduct forensic analysis of the data obtained;
5. Enlist the aid of non-law enforcement, who are trained in conducting forensic analysis of the data in retrieving and analyzing the data. When files have been deleted, they can be potentially recovered later using forensic tools. A person with familiarity with how cellphones work may, after examining the data, be able to draw conclusions about how the device was used, the purpose of its use, who used it, where, and when; and/or
6. Be required to examine every file and scan its contents briefly to determine whether it falls within the scope of the warrant. This is necessary as it is difficult to know prior to the search the level of technical ability of the device's user and data can be hidden, moved, encoded or mislabeled to evade detection.

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

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

Investigator Christopher Monico #1368, being first duly sworn upon oath deposes and states, is a law enforcement officer with the Lincoln Police Department, Lincoln, Lancaster County, Nebraska. Your Affiant is currently involved in the investigation of Distribute Fentanyl resulting in Death, Title 21, USC 841(a)(1), 841(b)(1), occurring between 08-11-2023 and 08-12-2023, in the City of Lincoln, Lancaster County, Nebraska.

Attachments

- Attachment A: Property to Be Searched
- Attachment B: Technical Information Regarding Cellular Telephones and Searches

The above are hereby attached and incorporated by reference.

Affiant's Background

Your Affiant has been a Police Officer for the Lincoln Police Department since 2000. Your Affiant has been investigating misdemeanor and felony crimes with the Lincoln Police Department and has been an Investigator with the Lincoln/Lancaster County Narcotics Task Force since 2014. Your Affiant has training and experience in conducting criminal investigations. Your Affiant has been directly involved in numerous drug investigations and has received training in various types of criminal investigations to include, complex narcotics investigations, undercover narcotics investigations, digital evidence recovery, and analysis of cellular telephones.

This Affidavit is submitted in support of a search warrant. Your Affiant may not have set forth every fact known to your Affiant regarding this investigation. The information contained in this Affidavit is from your Affiant's investigation and may include information provided by other law enforcement or others.

LANCASTER COUNTY
2024 FEB 15 PM 3:00
CLERK OF THE
DISTRICT COURT

Case Facts

On 8-12-2023, Trey R. Hollamon was found deceased, in his bed, at 5012 West Amarillo Drive, in Lincoln, Lancaster County, Nebraska, by his roommate, Dominic E. Pelan. Pelan said he, Hollamon, and a few other friends went out the previous night, on 08-11-2023, and had a few drinks. Pelan said they started out in Omaha, at the casino, and then went to Top Golf. Pelan said they then came back to Lincoln and went downtown to a few bars. Pelan said Hollamon left in an Uber to go home and told Pelan he had to get up early to go to work in the morning. Pelan said Hollamon left before everyone else, around 0000-0100 hours, on 08-12-2023.

Investigators at the scene located blue crushed up pills and a rolled up United States \$2 dollar bill on top of a laptop computer lying on the floor of Hollamon's bedroom closet. Investigators located numerous pills and other crushed up tablets throughout, in, and around the bedroom that would have belonged to Hollamon. Two other blue "M30" pills were located on the TV stand in Hollamon's bedroom.

Investigators interviewed Hollamon's other roommates. The roommates all stated they knew Hollamon recreationally used Adderall, Percocet, other illicit pills, and other illicit street drugs. It was also common knowledge among the roommates that Hollamon frequently purchased illicit narcotics from a drug source that Hollamon worked with at the Jet Splash car wash at 56th/Pine Lake Road in Lincoln, Lancaster County, Nebraska.

The Investigators initially working Hollamon's overdose reached out to Investigators of the Lincoln/Lancaster County Narcotics Task Force. Your Affiant was put into contact with Confidential Informant (known after this point as CI). Narcotics Task Force Captain Dale and your Affiant contacted the CI for an interview, in Lincoln, Lancaster County, Nebraska.

CI explained that Hollamon and the CI were friends and worked together at the Jet Splash car wash at 56th/Pine Lake Road in Lincoln, Lancaster County, Nebraska. CI said that Hollamon and the CI have been pooling their money together to purchase M30 fentanyl pills from Aidan J. Glenn (DOB: 10-18-1999). CI said for the last 1 to 1.5 months, Hollamon and the CI have been obtaining two to three, M30 pills a week from Aidan Glenn. CI said Glenn was typically charging them \$80-\$90 for three M30 pills. CI said that Hollamon and the CI would then evenly split the 2-3 pills they obtained from Aidan Glenn.

CI said on 08-11-2023, CI received either a call or text message from Aidan Glenn. CI said that Glenn told the CI that Glenn could get the CI, ten M30 pills for \$180, and

considered this “a deal”. CI said that Hollamon and the CI decided to pool their money to purchase these ten pills. CI chipped in \$80, and Hollamon provided the remainder. CI said the agreement between Hollamon and the CI was to split the ten pills evenly between each other, 5 and 5.

The CI said CI picked up Aidan Glenn from Glenn's job. CI then transported Glenn to the U-Stop store at 610 South 10th Street, Lincoln, Lancaster County, Nebraska. CI said Glenn's cellphone was not working correctly, so Glenn made calls from CI's cellphone to Glenn's pill source at 402-613-1873. CI showed Captain Dale and your Affiant that these calls were made between 12:09pm and 12:28pm on 08-11-2023. CI believed that Glenn and the CI arrived at the U-Stop store near 1pm. CI said Glenn was communicating with the M30 pill source, whose phone number was 402-613-1873. CI said that Aidan Glenn's cellphone number is 531-333-9487.

CI said the pill source arrived at the U-Stop, on 08-11-2023, in a maroon Kia Optima with no license plates. CI said the maroon Kia Optima parked near the alley side (southside) of the U-Stop. CI said the pill source was a black male, whose name is unknown to the CI. CI said Aidan Glenn got into the maroon Kia Optima and returned with 17, blue M30 pills. CI said Glenn counted out the ten pills that Hollamon and the CI put money in for, Glenn kept the remaining 7 pills.

CI said after obtaining the M30 pills through Aidan Glenn, the CI dropped Glenn off at an apartment complex in north Lincoln, Lancaster County, Nebraska. CI then returned home. CI said the CI communicated through text messages with Hollamon that the M30 pills had been obtained. CI said Hollamon came to CI's home at approximately 1:30pm. CI provided Hollamon with five M30 pills that CI had just obtained from Aidan Glenn.

After learning of Hollamon's death, the CI flushed the remaining M30 pills that CI possessed. CI said it was CI's belief that Hollamon had overdosed on some of the five M30 pills that the CI provided to Hollamon.

CI expressed interest in assisting Investigators with the investigation into Trey Hollamon's overdose case. It was decided to try to have the CI contact Aidan Glenn and make a recorded phone call and attempt to purchase further M30 pills.

CI did make a successful phone call to Aidan Glenn at 531-333-9487. The CI and Glenn exchanged several voice calls and several text messages in preparation of this drug purchase. Aidan Glenn agreed to sell the CI, two M30 pills for \$60. Glenn advised that his girlfriend, Wren G. Chamberlain (DOB: 02-16-2002), was calling “my dude” (pill source). Glenn told the CI that the source was at Madsen's Bowling alley at 4700 Dudley

Street, Lincoln, Lancaster County, Nebraska. Glenn also told the CI that Chamberlain was on her way to pick Glenn up. CI said Glenn did not have a car and would drive Chamberlain's vehicle to purchase drugs. CI said Chamberlain drove a black Ford Focus. Investigators checked for vehicles registered to the name of Wren Chamberlain. The Lincoln Police Department Records Management System showed that Wren Chamberlain has a black 2012 Ford Focus, Nebraska plate 69-B969 registered to her.

Investigators conducted surveillance around the Madsen's Bowling alley. Investigators witnessed a maroon Kia Optima, with no license plates, parked along the east side of the bowling alley. This vehicle matched the description of the source person who delivered M30 fentanyl pills to Glenn and the CI on 08-11-2023.

At approximately 2215 hours, on 08-12-2023, your Affiant witnessed the black Ford Focus, NE plate 69-B969, pull into the Madsen's Bowling alley lot. The driver parked in an empty parking stall, just to the immediate south of the maroon Kia Optima with no plates. Your Affiant could see that the Ford Focus had two occupants. Glenn was driving and Chamberlain was the front seat passenger.

After approximately one minute, a black male was observed exiting the door to/from EJ's Lounge, the bar attached to the bowling alley, on the east side of the building. This black male was witnessed to enter the front passenger seat of the maroon Kia Optima. The decision was then made to contact the occupants of both vehicles.

Investigators approached and ordered the parties, identified as Aidan Glenn, Wren Chamberlain, and Michael Smith, out of their vehicles, at gun point. All were taken into custody. When Smith was taken into custody, your Affiant knows that Investigators located a black Apple iPhone (Q2318338), a black and blue TracFone (Q2318339), and \$3782 (Q2318340), in Michael Smith's pants pocket.

Both vehicles were searched. In the black Ford Focus, Investigators located two, blue M30 pills under the driver's seat. Your Affiant knows that a partially smoked M30 pill and some foil with burnt pill residue was located in the front passenger door pocket. Chamberlain also had a baggie in her purse that contained suspected cocaine residue. That residue field tested positive for cocaine.

In the maroon Kia Optima, on the front passenger seat, Investigators located a fake Dasani water bottle that was a hide-away stash container. Under the front passenger seat, was a torn plastic baggie that contained a total of 46 blue M30 fentanyl pills. In the glovebox, there was an empty bottle of Promethazine DM cough syrup. In the center

console, there was a bottle of Promethazine DM cough syrup that still contained a small amount of liquid and Michael Smith's Mississippi ID card.

Aidan Glenn, Wren Chamberlin, and Michael Smith were all transported to the main Police Station, 575 South 10th Street, Lincoln, Lancaster County, Nebraska, to be interviewed.

Aidan Glenn participated in a recorded Miranda interview. Glenn said on 08-11-2023, he and another individual met with Michael Smith at the U-Stop at 610 South 10th Street, Lincoln, Lancaster County, Nebraska, to purchase either 16 or 17, M30 pills. Glenn said he provided 10 of these M30 pills to this other individual, known by your Affiant to be the CI. Glenn said he never sold or obtained pills directly to or for Trey Hollamon. Glenn said he used his cellphone to facilitate his purchases of M30 pills from Michael Smith. Glenn consented to a search of his cellular telephone.

Your Affiant was able to review the downloaded contents of Glenn's cellphone. Drug-related text messages between Glenn and Smith were witnessed that occurred on 08-11-2023. Using text messages, Smith tells Glenn, "Bruh this phone off limits". This message was sent from 662-313-3067 (Smith's Apple iPhone, Q2318338). Your Affiant knows this to mean that Smith wants Glenn to communicate with him on a different phone number. Glenn responds by text message saying, "On yo other line". Smith then sent a thumbs up emoji.

On 08-28-2023, a search warrant was executed on Michael Smith's black Apple iPhone (Q2318338). That Apple iPhone had the phone number of 662-313-3067. Both Aidan Glenn and the CI said that the phone number 402-613-1873, was the phone number that was used to set up the drug purchase on 08-11-2023.

Your Affiant believes that Michael Smith's black and blue TracFone (Q2318339) is the device that Smith told Glenn to contact Smith on instead of Smith's Apple iPhone. Additionally, the drug-related texts between Glenn and Smith, on 08-11-2023, were not present on Smith's Apple iPhone (Q2318338), thus there is probable cause to believe these messages are on Smith's black and blue TracFone (Q2318339).

Glenn also exchanged texts with the CI on 08-11-2023. These drug-related texts were used to set up the purchase of M30 pills at the U-Stop store at 610 S 10th St, Lincoln, Lancaster County, Nebraska. These text messages confirmed information provided by Aidan Glenn and the CI about obtaining M30 pills from Michael Smith on 08-11-2023. This information was further corroborated by surveillance video from the U-Stop store on 08-11-2023.

Text messages on Glenn's cellphone also showed that Wren Chamberlain assisted in facilitating the purchase of M30 pills, on 08-11-2023, from Smith. Chamberlain was in communication with Smith. Chamberlain then forwarded information to Glenn, through text messages.

Wren Chamberlain participated in a recorded Miranda interview. Chamberlain estimated that she and Glenn have been getting M30 pills, almost solely, from Michael Smith for approximately the last two months. Chamberlain reported that she and Glenn each use five pills a day, meaning they get approximately ten pills per day from Michael Smith. She reported that Michael Smith charges \$10 per pill, so they pay him approximately \$100 per day. Chamberlain estimated that she and Glenn would have obtained approximately 600 pills over the last two months. Chamberlain reported that both she and Glenn would contact Michael Smith to set up pill purchases and that they usually pay with cash, but sometimes they send Michael Smith money using CashApp.

Chamberlain stated she tries to stay out of Aidan Glenn's selling of fentanyl pills. Chamberlain reported that this morning when she woke up, on 08-12-2023, she had numerous missed voice calls and text messages from Glenn. Chamberlain said she called Glenn back and he was extremely worried. Chamberlain said that Glenn knew that he had delivered drugs leading to a death overnight, so he was concerned for her. Chamberlain stated Glenn was concerned for her because he had also given her pills on the night of 08-11-2023 when they were using together. Chamberlain reported that as far as she knew, Glenn was picked up to go obtain pills from Michael Smith and that another person (known to your Affiant as the CI) then delivered those pills to Trey Hollamon.

Smith participated in a Miranda interview but did not provide any information reference his involvement in selling M30 fentanyl pills. Smith would not provide information about his cellphones and did not give consent for his cellphones to be searched.

On 08-17-2023, your Affiant was able to obtain five surveillance video files from 08-11-2023, for the U-Stop store at 610 South 10th Street, Lincoln, Lancaster County, Nebraska. One of the video files shows Aiden Glenn getting into the front passenger seat of a maroon Kia Optima, at approximately 1235 hours on 08-11-2023, in the south parking lot of the store. Aidan exits the maroon Kia Optima, less than two minutes later.

Michael Smith is observed operating and exiting this same maroon Kia Optima, earlier on this same video file, on 08-11-2023. Michael Smith is also captured on video while inside the U-Stop on 08-11-2023. From the surveillance video, your Affiant also noticed that Michael Smith had another suspected drug transaction, with a black male, in the

south parking lot of the store, around 1207 hours, prior to Aidan Glenn's arrival at the U-Stop.

GPS data from Aidan Glenn's cellphone places Glenn's cellphone near the south side of the U-Stop store around 1235 hours on 08-11-2023. This is the location where the drug transaction took place between Glenn and Smith on 08-11-2023.

On 05-28-2023, Michael Smith was contacted on a traffic stop by a Lincoln Police Department Officer in Lincoln, Lancaster County, Nebraska. The officer noticed an open bottle of alcohol inside the vehicle that Michael was operating. The officer asked for consent to search the vehicle even though probable cause existed. Smith granted that consent. The officer located a sling bag that Smith had in his possession at the time of the traffic stop. Inside that bag, the officer located 6.5 blue M30 pills. Smith claimed to have a prescription for those pills. Smith was lodged in jail for Possess Controlled Substance, 28-416(3). One of the 6.5 blue M30 pills was sent to the State Laboratory for testing. On 08-15-2023, the State Laboratory confirmed the pill contained fentanyl, Schedule II.

On 02-01-2024, Wren Chamberlain participated in a proffer interview. During that proffer interview, Chamberlain said that Michael Smith used two cellphones. Chamberlain explained that Michael Smith's iPhone was his personal phone and not used for drug sales. Chamberlain said that Smith had a second cellphone that he used to conduct and facilitate his drug sales.

Your Affiant knows that individuals use their cellular telephones to communicate with others and facilitate the sales and purchases of illegal drugs.

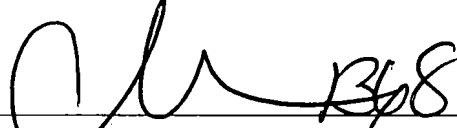
On 09-21-2023, a search warrant was signed by a Lancaster County Court Judge for Michael Smith's black and blue TracFone (Q2318339). On 09-22-2023, Investigators in the Electronic Evidence Unit attempted to download the contents of that device. Due to technological limitations, no data was able to be extracted from that device.

On 02-07-2024, your Affiant contacted Investigators in the Electronic Evidence Unit. Your Affiant asked if any new technological advances have occurred which increased the likelihood of successfully downloading the contents of this specific device. The Electronic Evidence Unit advised that technology had advanced and that the EEU would likely be able to access the device. The Lincoln Police Department has maintained custody of the black and blue TracFone (Q2318339) from when the device was gathered as evidence to the current date.

The above does constitute grounds of probable cause for an issuance of a search warrant to search and seize the evidence specifically identified in Attachment A. Your Affiant would advise the court that the search of cellular 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 ten (10) days normally required by the court.

Further AFFIANT saith not;

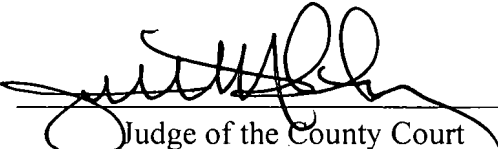
Dated this 13 day of February, 2024.




LPD Inv. Christopher Monico #1368, AFFIANT

SUBSCRIBED to in my presence and sworn to before me this 13 day of February, 2024.





Judge of the County Court



Printed Name of Judge

ATTACHMENT A: Property to Be Searched

Law enforcement and those assisting law enforcement is directed to seize and search the following:

- A black and blue TracFone, located in the Lincoln Police Property & Evidence Unit at 575 South 10th Street, Lincoln, Lancaster County, Nebraska, labeled with Property Number, Q2318339, labeled with Case Number, C3-071929.

for the following evidence, to include any live and/or deleted data to include including any live and/or deleted data for the time frame of July 11, 2023 to August 13, 2023, specifically for the seizure of following items:

1. Device identifiers, information and configurations.
2. User account information and any associated accounts on the device.
3. Call logs.
4. Contact lists.
5. Short Message Service (SMS), Multimedia Messaging Service (MMS) messages and instant messages.
6. Chat messages from installed applications.
7. Installed applications and their corresponding accounts and data.
8. Images and associated metadata.
9. Videos and associated metadata.
10. Audio files, including voicemails, and associated metadata.
11. Document files and associated metadata.
12. Internet browsing history including bookmarks, searches, browser cookies and other associated cache files.
13. Location data to include cellular tower connections, GPS (Global Positioning System) fixes, waypoints, routes, tracks, maps, and associated metadata.
14. Memos and notes (typed and voice).
15. Passwords, keychains.
16. Databases and file systems.
17. Device activity logs and application usage logs
18. Photographs of the device and any related information or data for this search warrant.

In order to obtain and search the data from the aforementioned device, law enforcement and/or those assisting may:

1. Obtain data from the physical memory of the device itself as well as from any data storage devices housed within the device, specifically Secure Digital (SD) and Subscriber Identification Module (SIM) cards;
2. Obtain data from the aforementioned cellular telephone's active file system, as well as unallocated space as to recover deleted data and file fragments;
3. Obtain data by making unobtrusive revocable setting changes to permit the digital extraction of the data unless the cellular telephone requires disassembly to obtain the desired data which may render the device inoperable;
4. Copy, forensically image, view, photograph, record, and/or conduct forensic analysis of the data obtained;
5. Enlist the aid of non-law enforcement, who are trained in conducting forensic analysis of the data in retrieving and analyzing the data. When files have been deleted, they can be potentially recovered later using forensic tools. A person with familiarity with how cellphones work may, after examining the data, be able to draw conclusions about how the device was used, the purpose of its use, who used it, where, and when; and/or
6. Be required to examine every file and scan its contents briefly to determine whether it falls within the scope of the warrant. This is necessary as it is difficult to know prior to the search the level of technical ability of the device's user and data can be hidden, moved, encoded or mislabeled to evade detection.

ATTACHMENT B: Technical Information Regarding Cellular Telephones and Searches

Through your Affiant's training and past experience, and from information provided by Electronic Evidence Unit forensic examiners, your Affiant is aware that cellular telephone data can provide valuable insight for Possession with Intent to Deliver Methamphetamine investigations. Cellular telephones are used by the general public for communication, access to and sharing of information, research, socialization, entertainment, mapping, shopping, note taking and other functionality. Your Affiant knows from training and criminal investigation experience that individuals also use cellular telephones for the aforementioned purposes, and as a tool for facilitating criminal activity. The data contained on cellular telephones seized in investigations can provide a wealth of information that can assist investigators in determining identity and culpability of participants, including identifying those with knowledge of a criminal offense or identify those who have aided a criminal participant in the commission of a criminal offense. As such, a cellular telephone possessed by criminal participants can serve both as an instrument for committing crime as well as a storage medium for evidence of the crime, including communications to plan, execute, and otherwise document the commission of a crime.

Your Affiant also knows that such devices are often used to communicate and share data with other users and that such digital data can be transferred between various devices. Your Affiant knows that information associated with such data may show evidence of current, on-going, future, and past criminal activity. Your Affiant knows that this type of information can be used to identify and locate potential victims, witnesses, and co-conspirators.

Your Affiant is aware, from past criminal investigation experience, of numerous instances where cellular telephones were used by criminal participants to communicate via voice, text messaging, social media or other communication applications; instances in which criminal participants utilized cellular telephones to photograph themselves, associates and co-conspirators; instances in which cellular telephones were used by criminal participants to create videos of their criminal activity; instances where criminal participants have used cellular based internet applications to research crimes they have or intend to participate in; instances in which criminal participants have maintained notes within cellular telephones and instances in which criminal participants used global positioning, mapping and other location services to facilitate in- person meetings with co-conspirators or a victim.

On a cellular telephone, data can be created in a matter of moments because most operations can be performed almost instantly, which would be relevant to the incident being investigated. The data can be created intentionally or accidentally by the user, or automatically by the device itself as a part of its regular functioning. Your Affiant seeks to complete a comprehensive and unbiased examination of the data on the device for information which could aid in the investigation; seeking only prescribed information would jeopardize the completeness of the

search as it is typically unknown how the cellular telephone was used or the technical ability and intent of the user before the device has been examined.

Your Affiant knows evidence can remain on the device or media for indefinite periods of time after the communication originally took place, even if deleted by the user. Data generally is stored on the physical memory of the device, but also can be stored on removable storage devices such as Secure Digital (SD) and Subscriber Identification Module (SIM) cards. A forensic examiner may be able to recover information deleted by the user throughout the working life span of the device.

The following are examples of how types of data on digital devices can assist investigators. A full, all-inclusive list would be impossible due to the ever-increasing development of digital devices and their applications.

1. Phone information, configurations, calendar events, notes and user account information which can be used to identify or confirm who owns or was using a cellular telephone. Because of their small size, cellular telephones can easily be passed from one person. As such it is necessary to document evidence that reveals or suggests who possessed or used the device. This evidence is akin to the search for venue items when executing a search warrant at a residence.
2. Call logs can establish familiarity between people involved in an incident. These records are consistently stamped with dates and times which can be significant regarding the reconstruction of the timeline of events regarding an investigation. Associated contact lists stored in the device can provide names to correspond with voice calls as well as other forms of communication. Voicemails can indicate the purpose of the phone call when the phone call was not answered. This information can also be invaluable to establish conspirators, witnesses and suspect information.
3. Communication records from SMS and MMS messaging, chats, instant messages and e-mails can provide invaluable insight to establish an individual's level of culpability and knowledge regarding an investigated incident. It is not uncommon for users to send and receive dozens and even hundreds of messages a day which document the person's activities and can aid in completing an investigation.
4. Data from associated supplemental software applications (apps), both standard and manually installed, stored on the cellular telephone can demonstrate the user's association with investigated people, locations and events. Cellular telephones have the ability to run apps which allow them to increase their functionality. Common programs include social media applications such as Facebook and Twitter as well as messaging applications Snapchat and Facebook Messenger to name a few. These applications are increasingly used as alternative methods for users to communicate from the standard messaging service as they offer additional functionality. Many of these applications are able to

determine the user's geographic location which can be instrumental to completing an investigation.

5. Media files such as images, videos, audio and documents provide first-hand documentation of actions regarding an event. Additionally, files can contain embedded metadata that show additional information which is valuable to investigators such as when and where the file was created. Cellular telephones have the ability to create, store and exchange media with other devices and computers.
6. Internet browsing history including bookmarks, browser cookies and other associated cache files stored on cellular telephones can demonstrate the planning or desire to participate in a crime by documenting the viewing of websites associated with the incident.
7. Cellular tower connections, GPS data, wireless networks, Bluetooth and synchronization logs can associate the cellular telephone with being in proximity of a location or other digital devices. Viewing this data can demonstrate that the device, and thus also its user, was in a location associated with an incident.
8. The user dictionary on a phone contains user generated entries such as names and uncommon words. The presence of these records can demonstrate familiarity with the crime being investigated.
9. Device generated files and data, wholly apart from user-generated files and data, contains electronic evidence pertaining to virtually all actions taken on the digital device, often without any conscious action by the user. This data is stored in multiple databases within a file system, which are determined by the application creating the data. This data includes logs of device use; records of the creation, modification, deletion, and/or sending of files; uses of the internet, such as uses of social media websites and internet searches/browsing; information regarding the user identity at any particular date and time; usage logs and information pertaining to the physical location of the device over time; pointers to outside storage locations, such as cloud storage, or devices to which data may have been removed, and information about how that offsite storage is being used. If the device is synced with other devices, it will retain a record of that action. Digital device users typically do not erase or delete this evidence, because special software or use of special settings are usually required for the task. However, it is technically possible to delete this information.

Your Affiant also requests authority to obtain assistance from a technical specialist, to review the digital device(s) and digital media for the best and least intrusive method of securing digital evidence that the warrant authorizes for seizure, and to assist in securing such evidence. For the technical reasons described, the digital evidence listed above shall be submitted to the Electronic Evidence Unit located at 605 South 10th Street, Lincoln, Lancaster County, State of Nebraska for digital forensic processing and analysis, or another location convenient to law enforcement.

Your Affiant knows, as with other types of evidence, the context, location, and data surrounding information in the device data is often necessary to understand whether evidence falls within the scope of the warrant. This type of information will be important to the forensic examiner's ability to piece together and recognize evidence of the above-listed crimes.

Your Affiant knows the forensic examiner may also need the following items in order to conduct a thorough and accurate search of the devices: computer hardware, software, peripherals, internal or external storage devices, power supplies, cables; internet connection and use information; security devices; software; manuals; and related material.

Your Affiant knows that digital devices are constantly changing system data on the device as programmed by their manufacturer. Additionally, your Affiant knows that searching the digital device itself would irreversibly alter data and/or evidence on the device. To search a device for evidence, the commonly accepted best practice of digital forensics is to utilize forensic software to obtain an extraction of the data on the device. Attempts will be made to obtain the devices data by only making unobtrusive revocable changes to the system settings to permit the digital extraction of the data. If necessary, the device may require disassembly to obtain the desired data which may render the device inoperable. These processes do not change or alter any of the user data stored on the device. The extraction is then searched using analysis software to locate, identify, and seize the evidence authorized by this warrant. The device and the image are then preserved in evidence.

The item(s) has/have been stored in a manner in which its/their contents are, to the extent material to this investigation, in substantially the same state as they were when the device(s) first came into the possession of the Lincoln Police Department.

The item(s) to be searched may be delivered to the Electronic Evidence Unit located at 605 South 10th Street, Lincoln, Lancaster County, State of Nebraska, or other location, for digital forensic processing and analysis. The Electronic Evidence Unit forensic examiners may designate additional forensic services, as they may deem necessary, to complete the analysis. Once examination and analysis has been completed, the listed evidence shall be returned to the Lincoln Police Department Property Unit, where it will be held until any final disposition by the court or pursuant to Neb. Rev. Stat. §29-820.