

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF THE SEARCH)
WARRANT OBTAINED FROM)
A 1992 FORD RANGER PICKUP,)
BEARING NE LICENSE PLATES)
AGW936 AND VIN 1FTCR10A2NPB04831)
LANCASTER COUNTY, NE)

INVENTORY

CLERK OF THE
DISTRICT COURT

2024 FEB 15 PM 2:22

LANCASTER COUNTY

STATE OF NEBRASKA)
) ss.
County of Lancaster)

Inv. Nick Heitman being first duly sworn upon oath, deposes and states the following is an inventory of property seized by virtue of the warrant issued herein:

- Location date from 01/05/2024 to 02/08/2024

DATED this 13 day of February, 2024.



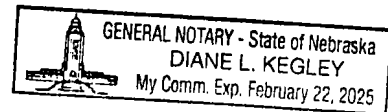
Inv. Nick Heitman

SUBSCRIBED AND SWORN to before me this 13th day of February, 2024.



Notary Public

C3009141



RECEIPT

The undersigned hereby acknowledges receipt of the following described property seized from a 1992 Ford Ranger pickup bearing NE;AGW936 and having VIN 1FTCR10A2NPB04831, Lancaster County, Nebraska:

Location data from 01-05-2024 to 02-08-2024.

LANCASTER COUNTY
2024 FEB 15 PM 2:22
CLERK OF THE
DISTRICT COURT

DATED this 8 day of February, 2024.



Law Enforcement Officer



WITNESS

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA

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

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

WHEREAS, Nick Heitman, has filed an affidavit before the undersigned Judge of the District Court of Lincoln, Lancaster County, Nebraska, a copy of which affidavit is attached hereto and made a part hereof;

WHEREAS, 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 authorizing the installation of a mobile tracking device pursuant to Neb. Rev. Stat. 86-2,103 upon a 1992 Ford Ranger pickup bearing NE;AGW936 and having VIN 1FTCR10A2NPB04831, and you are authorized to seize the same to accomplish the purpose of this order pursuant to Neb. Rev. Stat. 86-2,103;

THEREFORE, it is hereby ordered that deputies of the Office of the Lancaster County Sheriff, and such other cooperating law enforcement officers as are deemed necessary, are authorized to install, repair, maintain, operate, adjust, and remove a mobile tracking device in, on, about, and from the 1992 Ford Ranger pickup bearing NE;AGW936 and having VIN 1FTCR10A2NPB04831, and are authorized to seize the same to accomplish the purpose of this Warrant pursuant to Neb. Rev. State Statute 86-2,103;

IT IS FURTHER ORDERED that said mobile tracking device shall be installed within the jurisdiction of this court, within ten (10) calendar days from the date of this Warrant and a return made to the court.

IT IS FURTHER ORDERED that the operation of said tracking device shall terminate forty-five (45) days from the date the mobile tracking device

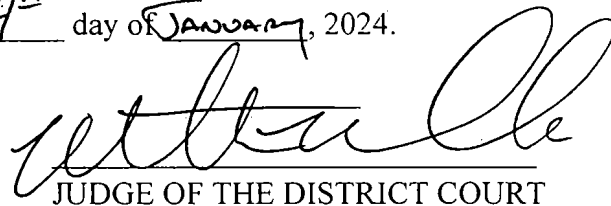
becomes fully operational, without further order of the court.

IT IS FURTHER ORDERED that upon conclusion of these forty-five (45) days the court finds that immediate notification may have an adverse result, and authorize the deputy executing this warrant to delay notice to the person who, or whose property of object, will be tracked for a period not to exceed thirty (30) days after the termination of the monitoring of the mobile tracking device.

IT IS FURTHER ORDERED that said mobile tracking device shall be installed, maintained, or removed at any time of day or night.

NOW, this Court, being duly advised in the premises finds that the attached Affidavit and Search Warrant, regarding the installation of a mobile tracking device pursuant to Neb. Rev. Stat. 86-2,103, shall be sealed, except as otherwise ordered by this Court, for the reason that it is important for law enforcement to protect from general public closure the use and availability of this specific advanced law enforcement technology, and it is important to ensure the safety of individuals and law enforcement personnel involved in the investigation.

Given under my hand and seal this 4th day of January, 2024.


JUDGE OF THE DISTRICT COURT

Matthew Mauro
Printed Name of Judge

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA)
STATE OF NEBRASKA)
) ss. AFFIDAVIT FOR SEARCH WARRANT
COUNTY OF LANCASTER)

Nick Heitman, being first duly sworn upon oath deposes and states that he is a Investigator for the Lancaster County Sheriff's Office, Lancaster County, Nebraska. AFFIANT further states he is currently involved in the investigation of Theft (NRS 28-512), occurring at 1900 Saltillo, 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 12-04-2023, Jorge Andazola reported that a 1996 United double axle trailer was stolen from Jax Properties storage facility at 1900 Saltillo Road. The trailer belongs to Andazola's company J and J Roofing. It contained a Jobsite gutter machine, rolls of aluminum gutter material and miscellaneous tools. The total loss for the theft was \$15,000.

A witness in the area reported seeing an early 2000's Dodge Ram pickup with Nebraska 56 county license plates pull into the parking lot at 1900 Saltillo Road at 2045 hours on 12-03-2023. The witness knows the owner of the storage facility and notified them of the suspicious vehicle. The witness also described the pickup as having rear end damage.

Surveillance in the area was checked and the suspect vehicle could be verified to be a red crew cab pickup with black fender flares, silver running boards and a large toolbox in the bed. The suspect vehicle is seen entering the area of the theft southbound on 14th Street, going through the roundabout at Saltillo then heading east on Saltillo Road without a trailer at 2030 hours. It is seen leaving the theft site with the Andazola's trailer at around 2047 hours and heading east on Saltillo Road.

Andazola told investigators he had been in business with Edward Lankas until the summer of 2023 under the business named Red Lion Roofing. Andazola said the split was amicable, but that Lankas made a comment that Andazola owed

him money and he would be justified in taking equipment Andazola was in possession of.

Andazola also reported finding a Facebook post by Blake Smith. In the post Smith was selling three of Red Lion Roofing's company pickups on behalf of Lankas. Andazola also located pictures of a red early 2000's Dodge Ram pickup on posts by Smith on his Facebook page. The pictures were examined and depict a red 2000's Dodge Ram crew cab pickup with black fender flares, silver running boards and a low profile toolbox in the back. Research found that Smith does have a 2004 red Dodge 2500 Ram pickup registered to him and his mother, Susan Smith.

On 12-08-2023, subpoenas were sent to Verizon Wireless for the phone records of Edward Lankas and Blake Smith. The phone records were analyzed and showed both parties were actively using their cellular phones during the timeframe leading up to, during and after the theft. Lankas engaged in three voice calls and seventeen text messages. Smith engaged in two voice calls, 24 text messages and two multimedia messaging service messages. No communication between Smith and Lankas was found.

On 12-18-2023, investigators contacted Susan and Blake Smith at their residence 8010 Cherrywood Drive, Lincoln. Smith was asked for consent to look at his 2004 Dodge Ram pickup. Smith initially agreed to meet investigators at his shop on 'West O Street' but later refused. Smith will not divulge to investigators where the pickup is. Contact with Susan Smith was also attempted but she will not return phone calls.

Surveillance at the Smith residence of 8010 Cherrywood Drive has been conducted. The 2004 Dodge Ram pickup has not been seen. A maroon 1992 Ford Ranger bearing NE;AGW936 has been observed on three separate occasions parked in the street in front of the residence. The vehicle is currently registered to Blake Smith at 8010 Cherrywood Drive, Lincoln. Other vehicles in the area have been checked and are registered to Blake Smith's parents. It is investigators' belief that the Ford Ranger is the primary vehicle being used by Blake Smith. The ability to monitor the vehicle's movements could be valuable to the investigation to learn the location of Blake Smith's 2004 Dodge Ram pickup and possibly the stolen trailer.

AFFIANT believes that installing a mobile tracking device pursuant to Neb. Rev. Stat. 86-2,103 upon the 1992 Ford Ranger pickup bearing NE;AGW936 and having VIN 1FTCR10A2NPB04831 will assist law enforcement to identify specific areas frequented by individuals operating the

afore mentioned vehicle that has been used to aid and assist with a theft. Traditional surveillance investigative techniques are difficult in rural and remote areas because persons involved in criminal activity may identify law enforcement personnel attempting to document movements. The installation of a mobile tracking device will allow law enforcement to conduct consistent day-time and night-time surveillance and to document with more success the movements, and meetings with persons known and unknown, of the individuals operating the 1992 Ford Ranger pickup bearing NE;AGW936 and having VIN 1FTCR10A2NPB04831, and will assist in the ongoing investigation of Theft occurring in Lancaster County, Nebraska.

AFFIANT informs the court that the mobile tracking device requested is a Global Positioning System transmitting device which, by use of satellite signals, is capable of monitoring the location of a vehicle. The mobile tracking device is incapable of receiving, monitoring, or transmitting speech.

AFFIANT requests that the Search Warrant for the installation and use of a mobile tracking device authorize surreptitious entry into the subject vehicle or any premises, on which the subject vehicle is located at any hour of the day or night to install, maintain, repair, adjust and remove the mobile tracking device in, on, or about the subject vehicle, such installation to be completed within 10 days of the issuance of said Warrant. Further, that the mobile tracking device may be operated and monitored when the subject vehicle is located in a place where there is a reasonable expectation of privacy.

AFFIANT requests the use of said mobile tracking device be authorized for 45 days from the date the warrant is signed.

AFFIANT further requests that the Warrant authorize law enforcement officers, in the event that the subject vehicle travels outside the jurisdiction of the court, be allowed to continue to use and monitor the mobile tracking device in any jurisdiction if the device is installed in the jurisdiction of this Court pursuant to Nebraska Revised Statutes, Section 86-2,103.

AFFIANT requests that the Court authorize notice of the installation of the mobile tracking device to be delayed for a period of 30 days after the termination

of the monitoring of the tracking device, because there is reasonable cause to believe that providing immediate notification may have an adverse result as defined by law in Nebraska Revised State Statute 86-2,108 and would seriously jeopardize the investigation. The warrant and affidavit reveal an ongoing investigation and premature disclosure of this information may cause the targets of the investigation to alter their activities, flee the jurisdiction, and endanger the safety of deputies. It may be requested that such a period of delay thereafter be extended by the court for good cause shown.

AFFIANT states a return will be made within 10 days of the issuance of said Warrant, stating the time and date of the installation of the device, and further states an amended return will be made after the device is removed, stating the time and date of the removal of the device.

AFFIANT further requests that this affidavit and the Court's Warrant be placed under seal and the existence of the mobile tracking device not be disclosed, except as otherwise ordered by this Court, for the reason that it is important to law enforcement to protect from general public disclosure the use and availability of this specific advanced tracking equipment and it is important to ensure the safety of individuals and law enforcement personnel involved in the investigation.

Wherefore, AFFIANT believes that the above constitutes grounds of probable cause for the issuance of a Search Warrant, authorizing law enforcement to install, repair, maintain, operate, adjust, and remove a mobile tracking device in, on, about and from the interior of the 1992 Ford Ranger pickup bearing NE;AGW936 and having VIN 1FTCR10A2NPB04831 and authorizing the seizure of the same to accomplish the purpose of said Warrant pursuant to Neb. Rev. Stat. 86-2,103. AFFIANT requests the same.

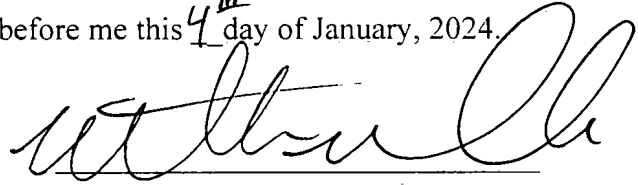
Further AFFIANT saith not.

Dated this 4 day of January, 2024.



Nick Heitman, AFFIANT

SUBSCRIBED AND SWORN to before me this 4th day of January, 2024.

A handwritten signature in black ink, appearing to read "Matthew Melina", written over a horizontal line.

JUDGE OF THE DISTRICT COURT

MATTHEW MELINA

Printed Name of Judge