

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

CE24-1

IN THE MATTER OF THE SEARCH)
WARRANT OBTAINED FROM)
WYZE LABS, INC., 5808 LAKE)
WASHINGTON BLVD NE, SUITE 301)
KIRKLAND, WA)

SEARCH WARRANT
RETURN

CLERK OF THE
DISTRICT COURT

2024 FEB 16 PM 3:19

LANCASTER COUNTY

STATE OF NEBRASKA)
)
COUNTY OF LANCASTER) ss.

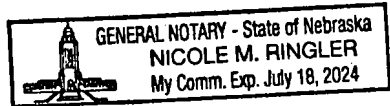
The undersigned states that he/she received the search warrant issued herein on the 1st day of February, 2024 and that he/she executed the same on the 1st day of February, 2024 and on the 15th day of February, 2024 seized the property/person described in the inventory filed herein and by delivering a copy of the said order for said property/person at the place from which the property/person was taken.

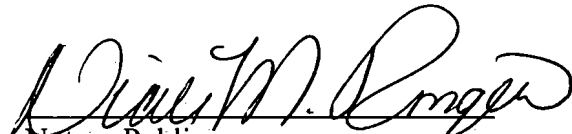
DATE this 15 day of February, 2024.



(ny) Joanna Dimas

SUBSCRIBED AND SWORN to before me this 15th day of February, 2024.





Notary Public

C4000542



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IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF THE SEARCH)
WARRANT OBTAINED FROM)
WYZE LABS, INC., 5808 LAKE)
WASHINGTON BLVD NE, SUITE 301)
KIRKLAND, WA)

INVENTORY

CLERK OF THE
DISTRICT COURT

LANCASTER COUNTY
2024 FEB 16 PM 3:19

STATE OF NEBRASKA)
) ss.
County of Lancaster)

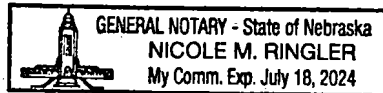
Inv. Joanna Dimas being first duly sworn upon oath, deposes and states the following is an inventory of property seized by virtue of the warrant issued herein:

- Video clips and audio files, Account subscriber information (including name, phone number, email, home addresses, etc.), Payment history, Alert settings, Associated IP Addresses, saved Wyze Cloud data and clips, and any other collected data for:
 - o Account associated with the Email Address:
josh@hoshbcreative.com and /or camera with MAC address:
D0:3F:27:48:26:C0

DATED this 15 day of February, 2024.


Inv. Joanna Dimas

SUBSCRIBED AND SWORN to before me this 15th day of February, 2024.




Notary Public

C4000542


RECEIPT

The undersigned hereby acknowledges receipt of the following described as property seized from Wyze Labs, Inc. 5808 Lake Washington Blvd NE Suite 301, Kirkland, WA 98033:


Video clips and Audio files, Account subscriber information (including name, phone number, email, home address, etc.), Payment history, Alert settings, Associated IP Addresses, saved Wyze Cloud data and clips, and any other collected data for:

Account associated with the Email Address josh@joshbcreative.com and/or the camera with MAC address: D0:3F:27:48:46:C0

DATED this 15 day of February, 2024.



Law Enforcement Officer



WITNESS

LANCASTER COUNTY
2024 FEB 16 PM 3:19
CLERK OF THE
DISTRICT COURT

IN THE COUNTY OF LANCASTER COUNTY, NEBRASKA

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

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

WHEREAS, Joanna Dimas, 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 Wyze Labs, Inc. 5808 Lake Washington Blvd NE Suite 301, Kirkland, WA 98033 for Video clips and Audio files, Account subscriber information (including name, phone number, email, home address, etc.), Payment history, Alert settings, Associated IP Addresses, saved Wyze Cloud data and clips, and any other collected data for:

Account associated with the Email Address josh@joshbcreative.com and/or the camera with MAC address: D0:3F:27:48:46:C0

Your AFFIANT is authorized to measure, photograph, video tape, and seize the aforementioned items.

Your AFFIANT would also 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

Given under my hand and seal this 1st day of February, 2024.

[Signature]

Judge of the County Court

Joseph Brown

Printed Name of Judge



LANCASTER COUNTY

2024 FEB 16 PM 3:19

CLERK OF THE DISTRICT COURT

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

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

Joanna Dimas, being first duly sworn upon oath deposes and states that she is an Investigator for the Lancaster County Sheriff's Office, Lancaster County, Nebraska. AFFIANT further states he is currently involved in the investigation of sexual assault of a child and incest, occurring at 630 Maple St, Hickman, 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 January 19th, 2024, the Sheriff's Office received DHHS intake #0104404. Joshua Brokering was self-reporting that he was engaging in an inappropriate physical relationship with his adopted daughter, a 12-year-old female furthermore known by her initials of B.A.

Your Affiant knows that Health and Human Services employee Katherine Lantis and Deputy Uzzell, an employee of the Lancaster County Sheriff's Office, currently assigned to the Patrol Division, arrived at 630 Maple St, Hickman, Lancaster County, Nebraska. and spoke with Joshua's wife, Dorothy Brokering. Your Affiant knows that Dorothy told Deputy Uzzell on the night of January 18th, 2024, Joshua took her to that he had inappropriately touched B.A. Dorothy told Katherine Lantis that Josh had taken her out to his office, an outbuilding behind the residence, and stated he was having an inappropriate relationship with B.A. for approximately a week and a half. Dorothy said that Joshua did not provide her further details. Dorothy said that she had warned Joshua to be careful with B.A., due to her history of sexual abuse as well as ADHD and attachment issues. Dorothy had witnessed Joshua snuggling on the couch with B.A. and would have to remind him to give her more space. Dorothy said that Joshua had a hard time with this due to his naivety and having been sheltered.

LANCASTER COUNTY
2024 FEB 16 PM 3:19
CLERK OF THE
DISTRICT COURT

B.A. has an 11-year-old brother, furthermore, known by his initials of P.A. On January 15th, 2024, P.A. had been playing at a neighbor's home and returned to his residence with a friend to play 'Fortnite'. P.A. could not find B.A. or Joshua. P.A. was looking for Joshua to get permission to play and heard the downstairs shower on. P.A. said that he could hear a "moaning sound" coming from the bathroom. P.A. described the moaning as someone not being hurt and knew it was sexual. P.A. thought it was B.A. and then believed Joshua and B.A. were in the shower having sex. P.A. felt uncomfortable and flustered. B.A. then came out of the bathroom with wet hair and Joshua exited the bathroom behind her. P.A. ran to his grandmother, Cheryl Brokering's, home several houses down and told her what he had witnessed. Cheryl then called Joshua and Joshua said that he had been sleeping. Joshua then arrived at Cheryl's home and said that he had actually been in the furnace room. P.A. told Joshua that he knew he was lying as he had seen them standing by the bathroom together and told Joshua that he had heard moaning. Cheryl and Joshua then decided they would not tell Dorothy because it was best for the family, and they needed to keep the family together. Cheryl and Joshua told the children this was what they must do.

During an interview at BraveBe Child Advocacy Center, B.A. stated that Joshua had first started with just hugging her. Joshua started to come into B.A.'s room and lay on her bed and talk about her friends and church. This progressed to back rubs and then Joshua began to remove her shirt for a backrub then her bra and then eventually progressed to them both being naked together. Joshua would touch B.A.'s breasts and vagina. B.A. said this made her feel scared and that she hated it. B.A. would try to push Joshua's hands away or tell him that he needed to go away so she could go to bed. When Joshua would lay in her bed naked with her, she could feel his leg hair poking her and his chest against her. B.A. tried to scoot away but Joshua would follow and hold her against him with his hand over her stomach. Eventually Joshua began to digitally penetrate B.A.'s vagina. Joshua usually came into B.A.'s room at night to molest her. Another time B.A. went out to Joshua's office in the outbuilding to ask for chocolate. B.A. stayed in the office on the couch to use B.A.'s phone to text a friend and Joshua touched her breasts and digitally penetrated her vagina on this couch. The last time was when P.A. found Joshua and P.A. in the shower. P.A. stated that Joshua had told her to go take a shower since she hadn't. B.A. went into the laundry room and when she turned around Joshua was there. Joshua then took B.A. into the shower and digitally penetrated her vagina. B.A. told Joshua not to and he said to be quiet because he thought P.A. might be home and he didn't want to get caught. After P.A. saw Joshua and B.A. and ran away Joshua told B.A. that they needed to come up with a plan to keep the secret. B.A. Joshua suggested that he say he was in the furnace room scooping kitty litter or was asleep.

B.A. told him she did not think that would work because P.A. had heard and seen what was happening. After these things happened B.A. said that she had to wash all of her bedding since Joshua had been on them. B.A. has been sleeping on the floor because she is uncomfortable with being in her bed since Joshua began to molest her. B.A. said that Joshua digitally penetrated her vagina 5 or 6 times before he was caught by P.A. B.A. drew a layout of her home and the outbuilding and detailed her bedroom, the downstairs bathroom, and the outbuilding where Joshua has his home office as the places where he molested her.

Joshua was lodged at Lancaster County Adult Detention Facility. Joshua's phone was with him and was seized by the Sheriff's Office in reference to this investigation. Joshua denied consent to download his phone. Your Affiant knows that Joshua has been making phone calls from Lancaster County Adult Detention Facility.

On January 23rd, 2024, your Affiant and Investigators with the Lancaster County Sheriff's Office executed a search warrant at 630 Maple St, Hickman, Lancaster County, Nebraska. Pursuant to the warrant Investigators seized 7 cellular devices, including the device mentioned in Joshua's jail phone calls, and the Dell laptop discussed by Joshua on his jail phone call. Your Affiant observed multiple cameras throughout the residence, including a Ring camera system at the front door. Your Affiant observed a Wyze camera system to be in place outside of B.A.'s bedroom pointing in the direction of the basement bathroom and in the kitchen of the home. A Wyze camera was placed on the exterior of the pedestrian door to the outbuilding office and two cameras in place on the interior of the office. This camera system is a Wifi based camera system that is accessed via an app on a cellular device.

On January 24th, 2024, your Affiant contacted Dorothy again. Dorothy stated that Joshua is the only one that has access to the camera system and that it is accessed through his cellular device. Dorothy stated that through the application on his cellular device Joshua can access and store video from the Wyze system. Dorothy was unsure how long video was stored by the program without Joshua saving the video himself. A preservation request was sent to Wyze for Joshua's accounts.

A download of Joshua's phone was completed by the Electronic Evidence Unit of the Lancaster County Sheriff's Office pursuant to a search warrant. During the cellular download analysis, Wyze video footage was located from the Northeast corner of the office interior. The time stamp reads '2024-01-14 17:15:29'. The video is 5 minutes and 14 seconds long and depicts Joshua and B.A. in a chair at his desk

inside his office. Josh and B.A. are kissing on the mouth and hugging. Joshua's hands can be seen groping B.A. on her back, front, and buttocks, both over the top and underneath her clothing.

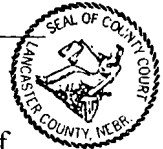
The above does constitute grounds of probable cause for the issuance of a Search Warrant to Wyze Labs, Inc. 5808 Lake Washington Blvd NE Suite 301, Kirkland, WA 98033 for Video clips and Audio files, Account subscriber information (including name, phone number, email, home address, etc.), Payment history, Alert settings, Associated IP Addresses, saved Wyze Cloud data and clips, and any other collected data for:

Account associated with the Email Address josh@joshbcreative.com and/or the camera with MAC address: D0:3F:27:48:46:C0

Your AFFIANT would also 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 Further AFFIANT saith not;

Dated this 1 day of February 2024.



Joanna Dimas, AFFIANT



SUBSCRIBED to in my presence and sworn to before me this 1st day of February 2024.



Judge of the County Court



Printed Name of Judge