

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

CR24-1

IN THE MATTER OF THE )  
INVENTORY OF IDENTIFYING )  
CHARACTERISTICS FROM )

RETURN ON ORDER TO  
PRODUCE IDENTIFYING  
PHYSICAL  
CHARACTERISTICS  
EVIDENCE


Antonio D. Ficklin )  
DOB: 10-21-1981

STATE OF NEBRASKA )  
County of Lancaster ) ss.

The undersigned states that he received the Order to Produce Identifying Physical Characteristic Evidence issued herein on the 1st day of March, 2024 and that he did execute the same on the 1st day of March, 2024 by obtaining the evidence described, to-wit:

-DNA buccal swab from Antonio D. Ficklin

DATED this 1<sup>st</sup> day of March, 2024.

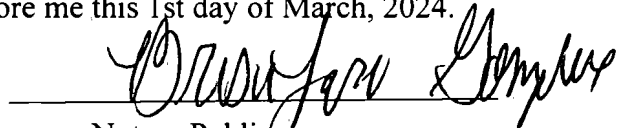
  
Investigator Robert Martin #1586

CLERK'S OFFICE, DISTRICT COURT  
LANCASTER COUNTY, NEBRASKA

MAR 01 2024

FILED  
Clerk of District Court

SUBSCRIBED AND SWORN to before me this 1st day of March, 2024.

  
Notary Public



C3-102521



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RECEIPT

The undersigned hereby acknowledges receipt of the following described property seized from the Lincoln Police Department, 575 South 10<sup>th</sup> Street in Lincoln, Lancaster County, Nebraska:


-DNA buccal swab from Antonio D. Ficklin

CLERK'S OFFICE, DISTRICT COURT  
LANCASTER COUNTY, NEBRASKA

MAR 01 2024

FILED  
Clerk of District Court

DATED this 1<sup>st</sup> day of March, 2024.

  
Investigator Robert Martin

  
WITNESS

MAR 01 2024

FILED  
Clerk of District Court

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

STATE OF NEBRASKA,  
PLAINTIFF,

VS.

Antonio D. Ficklin,  
DOB:10-21-1981

ORDER TO PRODUCE IDENTIFYING  
PHYSICAL CHARACTERISTICS

TO: Chad Baehr, Tyler Lindstedt, and other law enforcement officers of the  
Lincoln Police Department

WHEREAS, Chad Baehr has filed an Affidavit before the undersigned  
Judge of the County Court of Lancaster County, Nebraska, a copy of which  
Affidavit is  
attached hereto and made a part hereof, the court finds that for purposes of this  
Order the facts set forth in said Affidavit are true, and said facts and the evidence  
adduced constitute grounds and probable cause for the issuance of an Order to  
Produce Identifying Physical Characteristics. The Court further finds and orders  
as follows:

1. That the offense of POSSESSION OF A FIREARM DURING COMMISSION  
OF A FELONY - 28-1205(2)(C) is the subject of said Affidavit referred to above
2. That there is probable cause to believe that the offense of POSSESSION OF A  
FIREARM DURING COMMISSION OF A FELONY - 28-1205(2)(C) has been  
committed.
3. That there is probable cause to believe that Antonio D. Ficklin committed said  
offense.
4. That Identifying Physical Characteristics Sought is/are DNA Buccal swabs.
5. That Antonio D. Ficklin has refused, or there is reason to believe that Antonio D.  
Ficklin will refuse, to voluntarily provide the identifying physical characteristics  
sought.
6. That Antonio D. Ficklin is the individual who may be detained for obtaining such  
identifying physical characteristics.
7. That Tyler Lindstedt and other officers of the Lincoln Police Department

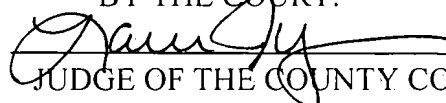
are the peace officers authorized to obtain such identifying physical characteristics and to effectuate any detention which may be necessary to obtain the same.

8. That Antonio D. Ficklin will be under no legal obligation to submit to any interrogation or to make any statement during the period of his appearance.
9. That such identifying physical characteristics may be obtained in the city of Lincoln, Lancaster County, Nebraska.
10. That Antonio D. Ficklin shall appear in the city of Lincoln, Lancaster County, Nebraska, at such date and time as is designated by Tyler Lindstedt for the purpose of obtaining the above-mentioned identifying physical characteristics.
11. That if Antonio D. Ficklin fails to comply with the request of said Tyler Lindstedt, the said Antonio D. Ficklin shall be guilty of contempt of court and be punished accordingly.
12. That Antonio D. Ficklin shall be required to stay no longer than one (1) hour for the purpose of Tyler Lindstedt obtaining the above-mentioned identifying physical characteristics.
13. That this Order shall remain in force and effect for a period of fifteen (15) days only.
14. That a copy of this Order shall be served upon Antonio D. Ficklin.
15. That a Return of this Order shall be made within 30 days after the identification procedures have been carried out, setting forth the type of identifying physical characteristics obtained. If the Order is not executed, a Return shall be filed within 30 days stating the same.

THEREFORE, you are commanded to search the said Antonio D. Ficklin to produce the aforementioned identifying physical characteristics which constitutes evidence that a criminal offense has been committed, and to seize the same.

GIVEN UNDER MY HAND AND SEAL this 21<sup>st</sup> day of February, 2024.

BY THE COURT:

  
\_\_\_\_\_  
JUDGE OF THE COUNTY COURT

Laurie J. Hardin  
\_\_\_\_\_  
PRINTED NAME OF JUDGE



IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

STATE OF NEBRASKA,  
PLAINTIFF,

VS.

ANTONIO D. FICKLIN,  
DOB: 10-21-1981

AFFIDAVIT FOR  
ORDER TO PRODUCE IDENTIFYING  
PHYSICAL CHARACTERISTICS

FILED  
Clerk of District Court

MAR 01 2024

CLERK'S OFFICE, DISTRICT COURT  
LANCASTER COUNTY, NEBRASKA

COMES NOW, Investigator Chad Baehr #1288 of the Lincoln Police Department, being first duly sworn upon oath, deposes and states as follows:

1. Your AFFIANT was assigned to investigate a POSSESSION OF A FIREARM DURING COMMISSION OF A FELONY - 28-1205(2)(C) that occurred at Normal Boulevard and Garfield Street in Lincoln, Lancaster County, Nebraska.

2. Your AFFIANT has reviewed reports of other peace officers involved in the investigation of POSSESSION OF A FIREARM DURING COMMISSION OF A FELONY - 28-1205(2)(C) and has conducted additional follow up into the investigation of the incident. According to the information that your AFFIANT obtained:

On Wednesday, November 15, 2023 at 02:38 a.m. hours Officer Tyler Lindstedt #1727 of the Lincoln Police Department, Lincoln, Lancaster County, Nebraska, observed a red 2013 Lincoln Navigator (NE:YJD 842) traveling eastbound on Capitol Boulevard from 27th Street. Officer Lindstedt ran the license plate through the Lincoln Police Department Records Management System (RMS) and found Antonio D. Ficklin (DOB:10-21-1981) to be one of the registered owners. Officer Lindstedt observed Ficklin had been cited on November 3<sup>rd</sup>, 2023 while operating this motor vehicle. Officer Lindstedt checked Ficklin's license through NCJIS/DMV record and found his license to be suspended as of March 13<sup>th</sup>, 2023 for failure to comply.

Officer Lindstedt ultimately stopped the vehicle at Normal Boulevard and Garfield Street and contacted Ficklin as the driver. Ficklin provided a piece of paperwork from the court that showed he made some sort of payment,

which he argued was for his license. Ficklin opened the glovebox and Officer Lindstedt observed a glass pipe inside that appeared to have suspected marijuana residue inside it. Ficklin denied there being a marijuana pipe and gave Officer Lindstedt consent to retrieve the pipe; the pipe had an odor of marijuana to it. Ficklin said he did not know how the pipe got into the vehicle and denied ownership of it.

Officer Lindstedt asked Ficklin if there was anything else illegal in the vehicle and he then informed Officer Lindstedt there was a gun in the vehicle, specifically on the floorboard behind where he was seated. Inside a small zippered bag was a SCCY CPX-2 9mm handgun (S/N:239065) that was located in the middle of the 2nd row floorboard. Officer Lindstedt asked if the gun was freely floating on the seat or if it was inside a bag. Ficklin stated the gun was in a bag and that he was taking it to someone to drop it off. Ficklin then said someone left their bag in the vehicle. Officer Lindstedt clarified with Ficklin and asked if he meant that someone left the bag with the gun inside it in the vehicle and Ficklin confirmed that was what he meant. Ficklin further stated, 'He told me there was a gun in there. That's why I was taking it back. I don't carry a gun.' Officer Lindstedt asked Ficklin if he personally knew there was a gun in the bag, which he confirmed he did know.

Ficklin consented to a search of his person and Officer Lindstedt located a tied off plastic baggie (.4g w/bag weight) of suspected cocaine in his front right pocket of his 1/4 zip jacket. Ficklin admitted the substance was cocaine when asked. This substance did test positive for cocaine on a presumptive test. In the zippered bag was another tied off plastic baggie (1.9g w/bag weight) of suspected cocaine. Officer Lindstedt also located another plastic baggie in the vehicle that had a white residue inside it and a red straw that was cut and had a white residue inside it, which Officer Lindstedt suspected to be used to insufflate cocaine. Ficklin was informed of his charges and said, 'That itty bitty bag. That wasn't even a gram.'

Ficklin declined an interview and declined a request to voluntarily produce a DNA sample. Ficklin was cited and lodged at the Lancaster County Jail for narcotics and the felony weapons violation.

3. Your AFFIANT knows that buccal DNA swabs are a way of producing non-testimonial identification evidence regarding the person responsible for the POSSESSION OF A FIREARM DURING COMMISSION OF A FELONY - 28-

1205(2)(C) described herein. The identifying physical characteristics sought from Antonio D. Ficklin is a sample of his/her DNA in the form of DNA buccal swabs. The procurement of these identifying physical characteristics is likely to contribute evidence to the further identification of Antonio D. Ficklin as being the person responsible for the POSSESSION OF A FIREARM DURING COMMISSION OF A FELONY - 28-1205(2)(C) herein.

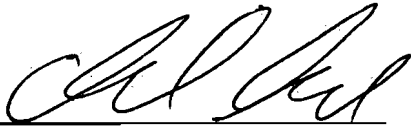
The identifying physical characteristics sought can be obtained from Antonio D. Ficklin in the city of Lincoln, Lancaster County, Nebraska and should require a detention not to exceed one (1) hour.

AFFIANT further states that there is probable cause to believe that Antonio D. Ficklin is responsible for POSSESSION OF A FIREARM DURING COMMISSION OF A FELONY - 28-1205(2)(C) as described herein, and in violation of the laws of the State of Nebraska.

4. Officer Lindstedt has been advised by Antonio D. Ficklin's attorney that Antonio D. Ficklin has refused to voluntarily provide a DNA sample via buccal swabs.

Further your affiant saith not.

DATED this 21st day of February, 2024.



Chad Baehr #1288

SUBSCRIBED AND SWORN to before me this 21<sup>st</sup> day of Febru, 2024



JUDGE OF THE COUNTY COURT

Laurie Stead  
PRINTED NAME OF JUDGE

