

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 SOUTH 10TH STREET
LINCOLN, LANCASTER COUNTY, NEBRASKA**

**STATE OF NEBRASKA)
)
COUNTY OF LANCASTER)**

ss.

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

Inv. Corey Weinmaster #883, 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 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.

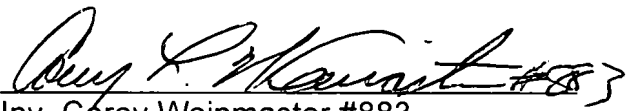
iPhone 14 under LPD Property Q2404790

- Activity Sensor Log – 323
- Applications Usage Log – 13592
- Call Log – 1549
- Chats – 816
- Contacts – 4524
- Cookies – 1116
- Device Connectivity – 250
- Device Events – 23473
- Devices – 4
- Emails – 719
- Installed Applications – 55
- Instant Messages – 497
- Journeys – 31
- Locations – 9288
- Log Entries – 8207
- Notes – 2
- Passwords – 1498
- Searched Items – 468
- Social Media – 237

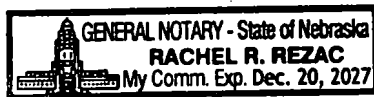
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DISTRICT COURT**

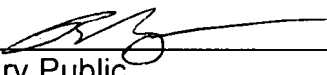
- User Accounts – 54
- Voicemails – 43
- Web History – 11631
- Wireless Networks – 29
- Timeline – 223933
- Audio – 3219
- Documents – 132
- Images – 49777
- Videos – 3817

Inventory made in the presence of Sgt. Derek Dittman #1551.


Inv. Corey Weinmaster #883

SUBSCRIBED to in my presence and sworn to before me this 19th day of
April, 2024.





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.

iPhone 14 under LPD Property Q2404790

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Date 4/17/24

Ray C. Mawast #883
Law Enforcement Officer

Witness *[Signature]* 1551

IN THE COUNTY OF LANCASTER COUNTY, NEBRASKA

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

TO: Matthew Buhrman, a law enforcement officer with the Lincoln Police Department, Lincoln, Lancaster County, Nebraska, any and all law enforcement officers, and agents thereof.

WHEREAS, Matthew Buhrman 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, to include any specific authorization as contained in **Attachment A**.

THEREFORE, you are commanded to execute and return this Search Warrant in the manner as prescribed in **Attachment A**.

Given under my hand and seal this 10th day of April, 2024.

Laurie J. Gardner
Judge of the County Court

Laurie J. Gardner
Printed Name of Judge



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ATTACHMENT A: Digital Device(s) to Be Searched

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

- **White I-Phone with Cracked Screen and Back**, to include any digital device within, located in the Lincoln Police Property & Evidence Unit at 575 South 10th Street, Lincoln, Lancaster County, Nebraska, labeled with Property Number **Q2404790** and Case Number **C4-021424** 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 September 1, 2023, to March 19, 2024, 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. Databases and file systems.
 4. Device activity logs and application usage logs
 5. Call logs.
 6. Contact lists.
 7. Short Message Service (SMS), Multimedia Messaging Service (MMS) messages and instant messages.
 8. Chat messages from installed applications.
 9. Email messages.
 10. Installed applications and their corresponding accounts and data.
 11. Images and associated metadata.
 12. Videos, and associated metadata.
 13. Audio files, including voicemails, and associated metadata.
 14. Document files and associated metadata.
 15. Internet browsing history, including bookmarks, searches, browser cookies and other associated cache files.
 16. Location data to include cellular tower connections, GPS (Global Positioning System) fixes, waypoints, routes, tracks, maps, and associated metadata.
 17. Wireless networks, Bluetooth, IP addresses, and synchronization connection history.

To obtain and search the data from the aforementioned digital device, law enforcement and/or those assisting may:

1. Obtain data from the physical memory of the digital device itself as well as from any data storage devices housed within the digital device, specifically Secure Digital (SD) and Subscriber Identification Module (SIM) cards;

2. Obtain data from the aforementioned digital device'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 digital device 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 digital devices 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.
7. Remove the digital device to another location conduct the digital forensic examination and/or analysis.

The search of digital devices is a lengthy process requiring special steps to ensure the integrity of the digital devices. 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.

ATTACHMENT B: Technical Information Regarding the Search of Digital Devices

Through your Affiant's training and past experience, and from information provided by Electronic Evidence Unit forensic examiners, your Affiant is aware that:

Digital device data can provide valuable insight for criminal investigations. Digital devices are used by the general public for communication, access to and sharing of information, research, socialization, entertainment, mapping, shopping, note taking and other functionality. Individuals also use digital devices for the aforementioned purposes, and as a tool for facilitating criminal activity.

Digital devices are often used to communicate via voice, text messaging, social media or other communication applications; and share data with other users and that such digital data can be transferred between various digital devices. Information associated with such data may show evidence of current, on-going, future, and past criminal activity as well as assist law enforcement 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, victims and/or witnesses. As such, digital devices 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.

There have been numerous instances where criminal participants utilized digital devices to photograph themselves, associates and/or co-conspirators, and victims; instances in which digital devices were used by criminal participants to create videos of their criminal activity; instances where criminals participants have used digital devices' internet applications to research crimes they have or intend to participate in; instances in which criminal participants have maintained notes within digital devices; and instances in which criminal participants used global positioning, mapping and other location services to facilitate in-person meetings with co-conspirators and/or a victim.

On a digital device, 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.

Electronic evidence can remain on the digital devices for indefinite periods of time after the data was created, even if deleted by the user. Data generally is stored on the physical memory of the digital 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 digital device. Because of their small size, digital devices 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. Data from associated supplemental software applications (apps), both standard and manually installed, stored on the digital devices can demonstrate the user's association with investigated people, locations, and events. Digital devices can run apps which allow them to increase their functionality. Common programs include social media applications, such as Facebook, 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 can determine the user's geographic location which can be instrumental to completing an investigation.
4. 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. Digital devices can create, store and exchange media with other devices and computers.

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 electronic device was used or the technical ability and intent of the user before the device has been examined. 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 search 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 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 device's data by only making unobtrusive revocable changes to the system settings to permit the extraction of the data. If necessary, the digital 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 digital device has been stored in a manner in which its/their contents are, to the extent material to this investigation, substantially the same state as when it first came into the possession of law enforcement.

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

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

Matthew Buhman, being first duly sworn upon oath deposes and states that he is an Investigator for the Lincoln Police Department, Lincoln, Lancaster County, Nebraska. AFFIANT states he is currently involved in the investigation of a Theft by Unlawful Taking 28-511 (Class 2A felony), occurring on March 12, 2024, at 511 Surfside Drive, Lincoln, Lancaster County Nebraska. AFFIANT has reviewed case reports regarding this investigation prepared by other involved Law Enforcement Officers.

Attachments

Include Name of Attachment Exactly

Attachment A: WHITE IPHONE WITH CRACKED SCREEN AND BACK in LPD Property Q2404790.

Attachment B: Technical Information Regarding the Search of Digital Devices.

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 2018. Since 2018, Affiant has been investigating misdemeanor and felony crimes with the Lincoln Police Department to include homicide, burglary, robbery, assault, weapon offenses, narcotics, sexual assault, and pornography. Your AFFIANT has training and experience in conducting criminal investigations.

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 criminal investigation and may include information provided by other law enforcement, or others.

Case Facts

On March 12, 2024, at approximately 0448 hours, Officer Mueller #1871 with the Lincoln Police Department was dispatched to 1634 South 12th Street regarding a hit-and-run accident that had just occurred. It was reported that a grey Kia Soul was abandoned in front of 1634 South 12th Street and the occupants of the vehicle fled the area traveling southbound. Upon the arrival of Lincoln Police Officers, a disabled grey 2019 Kia Soul

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with Nebraska License Plates 3A8145 (VIN: KNDJN2A22K7668507) was located. A suspect description was provided of a white male, wearing a light-colored hooded sweatshirt.

The Lincoln Police Officers in the area established a perimeter surrounding the disabled vehicle in an attempt to locate the occupants that had fled the area. Officer Short #1777 with the Lincoln Police Department assisted with the perimeter and parked at 13th Street and Washington Street. While assisting with the perimeter, Officer Short #1777 observed a white Kia Soul with Nebraska License Plates YUS060 (VIN: KNDJP3A55J7534244) being operated by an individual that matched the description of the suspect. Officer Short #1777 followed the white Kia Soul and observed the vehicle fail to signal its turn on multiple occasions. A traffic stop was made at 10th Street and Washington Street and Officer Short #1777 contacted Joe Scarlett (DOB: 06-01-2006) as the driver and sole occupant of the vehicle. Officer Short #1777 asked Scarlett to exit the vehicle, which he complied. Upon Scarlett exiting the vehicle, Officer Short #1777 observed the steering column of the vehicle to be tampered with and the back window to be broken.

Scarlett was detained for investigative purposes and upon officers obtaining his biological information, Scarlett made an excited utterance that he was attempting to retrieve his phone from the other stolen vehicle that had crashed. Lincoln Police Officers with the 2019 grey Kia Soul observed a white cellphone was still in the vehicle and it was observed that the vehicle's Bluetooth was connected to 'joes phone.' The phone was obtained and tagged into the Lincoln Police Department Property under property report Q2404790.

Lincoln Police Officers contacted Chiveon Hopper, as she was the registered owner of the white 2018 Kia Soul with Nebraska License Plates YUS060. Hopper stated that she had parked her vehicle outside of 1718 South 14th Street, Lincoln, Lancaster County, Nebraska on March 11, 2024, at approximately 2110 hours. Hopper stated that she did not give anyone permission to use her vehicle.

Lincoln Police Officers contacted Joseph Pinkerton and Melissa Mootz, who were the registered owners of the grey 2019 Kia Soul with Nebraska License Plates 3A8145. Pinkerton and Mootz stated that they had parked and locked their vehicle at 511 Surfside Drive, Lincoln, Lancaster County, Nebraska on March 11, 2024, at approximately 1830 hours.

Scarlett was ultimately transported to the Youth Detention Center by Lincoln Police Officers for an evaluation. While at the Youth Detention Center, Scarlett waived Miranda and provided a statement. Scarlett stated that he had stolen the first vehicle, the grey 2019 Kia Soul, from near his residence, which is located at 541 Northwest 9th Street,

Lincoln, Lancaster County, Nebraska. Scarlett then stated that he had stolen the white 2018 Kia Soul in an attempt to return to the scene of the accident and collect his phone.

The damages located on the recovered Kia Souls included broken windows and ignition columns that had been tampered with, which coincide with current auto theft trends. On March 12, 2024, an additional attempted auto theft report was made that occurred at 421 Capitol Beach Boulevard sometime throughout the previous night. Nyakim Pal reported that his 2018 white Kia Optima with Nebraska License Plates AHB509 had its rear driver's window shattered and the ignition column damaged.

Between the dates of February 4, 2024, and February 19, 2024, there were four additional reports of vehicles that had a rear window shattered and the ignition column damaged that were located in a fourteen-block radius of Scarlett's residence. On September 25, 2023, Brian Tillman, reported a larceny from his vehicle, a black 2012 Kia Soul with Nebraska License Plates YEH547, that was located at 600 Surfside Drive. The black Kia Soul was observed to have two broken front windows and the center console was rummaged through.

The above does constitute grounds of probable cause for the issuance of a search warrant to search and seize the evidence specifically identified in Attachment A, to include any specific authorization requested authorization to be ordered by the court.

Further AFFIANT saith not;

Dated this 10th day of April, 2024.

In. Matthew B. #1828
Matthew Buhman, Lincoln Police Department

SUBSCRIBED to in my presence and sworn to before me this 10th day of April, 2024.

Laurie J. Tardley
Judge of the County Court

Laurie J Tardley
Printed Name of Judge

