

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA

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

CR24-1

SEARCH WARRANT RETURN

LANCASTER COUNTY
CLERK OF THE
DISTRICT COURT
2024 MAY -2 PM 2:37

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

The undersigned states that he received the Search Warrant issued herein on the 29th day of April, 2024, and that he executed the same on the 30th day of April, 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 H. Weinmaster #883
Corey Weinmaster #883

SUBSCRIBED to in my presence and sworn to before me this 2nd day of May, 2024.

Angela M. Yates
Notary Public



002176204D02

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INVENTORY

IN THE DISTRICT 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**

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:

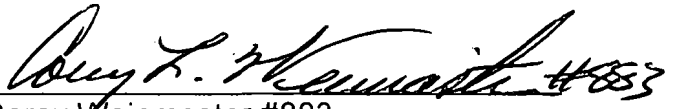
The following is a list of the items seized and removed as evidence during the execution of a search warrant at the premise of the Lincoln Police Department, 575 South 10th Street, Lincoln, Lancaster County, Nebraska.

iPhone 14 Pro under LPD Property Q2404249


- Calendar – 11
- Call Log – 1303
- Chats – 256
- Contacts – 3620
- Cookies – 1395
- Device Connectivity – 11
- Device Events – 766
- Emails – 7917
- Installed Applications – 14
- Instant Messages – 53
- Locations – 1519
- Passwords – 548
- Searched Items – 1471
- Transfers – 81
- User Accounts – 22
- Voicemails – 18
- Web History – 5399
- Wireless Networks – 4
- Timeline – 105334
- Audio – 1663
- Documents – 4186
- Images – 12988
- Videos – 495

**LANCASTER COUNTY
2024 MAY -2 PM 2:37
CLERK OF THE
DISTRICT COURT**

Inventory made in the presence of Derek Dittman #1551.


Corey Weinmaster #883

SUBSCRIBED to in my presence and sworn to before me this 2nd day of May, 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 Pro under LPD Property Q2404249

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LANCASTER COUNTY
2024 MAY -2 PM 2:37
CLERK OF THE
DISTRICT COURT

Date 4/30/24

Corey P. Mennitt #883
Law Enforcement Officer

Witness *[Signature]* 151

IN THE DISTRICT OF LANCASTER COUNTY, NEBRASKA

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

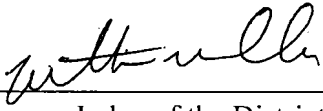
TO: Investigator Jesse Tenney, a law enforcement officer with the Lincoln Police Department, Lincoln, Lancaster County, Nebraska, any and all law enforcement officers, and agents thereof.

WHEREAS, Investigator Jesse Tenney 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 29th day of April, 2024.



Judge of the District Court

Matthew O. Mellor

Printed Name of Judge

LANCASTER COUNTY
2024 MAY -2 PM 2:37
CLERK OF THE
DISTRICT COURT

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA

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

Investigator Jesse Tenney, being first duly sworn upon oath deposes and states that he is a Investigator for the Lincoln Police Department, Lancaster County, Nebraska. Your AFFIANT has been a Police Officer with the Lincoln Police Department since 2018. Your AFFIANT is currently assigned to the Lincoln/Lancaster County Narcotics Task Force (hereafter "LLCNTF") as a Narcotics Investigator. AFFIANT further states he is currently involved in the investigation of POSSESS CONTROLLED SUBSTANCE WITH INTENT TO DELIVER (HAZ DRUG) 28-416(1)(A)(F2) occurring in the city of Lincoln, Lancaster County, Nebraska. AFFIANT has reviewed case reports regarding this investigation prepared by other involved Law Enforcement Officers.

Attachments

- Attachment A: Digital Device to Be Searched
- 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. Your Affiant has training and experience in conducting narcotics 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

Case C1-084180:

On 09-07-2021 at approximately 1913 hours, investigators with the LLCNTF arrested PRESTON APPLETON (12-04-1994) for POSSESS CONTROLLED SUBSTANCE (NRS: 28-416(3)). Appleton was found in possession of 1.5 blue M30 suspected fentanyl pills. Appleton admitted to investigators that these pills were fentanyl.

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CLERK OF THE
DISTRICT COURT

These pills were sent to the Nebraska State Crime Laboratory, which confirmed that the pills contained fentanyl, a schedule II controlled substance.

Appleton waived his Miranda rights and was interviewed. During this interview, Appleton identified MITCHEL R ALEXANDER (06-28-1993) as one of his sources for fentanyl pills and methamphetamine. Appleton told investigators that over the past year, he had been obtaining between 2-10 blue M30 fentanyl pills per day from Alexander. Appleton informed investigators that he believed Alexander was transporting methamphetamine from Norfolk, Nebraska to Lincon, Nebraska.

Case C3-012947:

On 02-15-2023 at approximately 1719 hours, LLCNTF investigators arrested SUMMER UNZICKER (12-06-1991) for POSSESS CONTROLLED SUBSTANCE WITH INTENT TO DELIVER (HAZ DRUG) (fentanyl) (NRS: 28-416(1)(A)) and POSSESS MONEY WHILE VIOLATING 28-416 (NRS: 2-416(17)). Unzicker was found to be in possession of 15 blue M30 fentanyl pills and \$520.00. Unzicker's co-defendant, MICHAEL PARTEE (10-26-1990) was found in possession of 126 blue M30 fentanyl pills and \$9,259.00 in US Currency. The seized blue M30 pills were sent to the Nebraska State Patrol Crime Laboratory, which confirmed that the pills contained fentanyl, a schedule II controlled substance.

On 07-07-2023, Unzicker participated in a Proffer Interview. During the interview, Unzicker identified Alexander as an individual she knew to be involved with Partee in the distribution of fentanyl pills. Unzicker said Partee was traveling to Denver, Colorado and obtaining large amounts of fentanyl pills, which would ultimately be transported back to and sold in Lincoln, Nebraska. Unzicker said Alexander drove Partee to Denver Colorado on at least two occasions and assisted in transporting fentanyl pills back to Lincoln, Nebraska.

Case C3-078971:

On 09-03-2023 at approximately 1825 hours, your AFFIANT along with other investigators with the LLCTNF arrested LEANNA HOLMES (12-27-1987) for three counts of POSSESS CONTROLLED SUBSTANCE (methamphetamine, fentanyl, and pregabalin) (NRS: 28-416(3)). Holmes was found in possession of two blue M30 fentanyl pills, one pregabalin pill, and a baggie with methamphetamine residue. The seized blue M30 pill, methamphetamine, and pregabalin were sent to the Nebraska State Patrol Crime Laboratory, which confirmed that the substances as fentanyl, methamphetamine, and pregabalin.

Holmes waived her Miranda rights and was interviewed by your AFFIANT. During the interview, Holmes identified Alexander as a source for blue M30 fentanyl pills. Holmes stated she had purchased fentanyl pills from Alexander on at least twenty occasions. Holmes stated she purchased the pills from Alexander for \$25.00 per pill, and

that the deals took place at Alexander's residence 4230 Normal Blvd. Lincoln, Lancaster County, Nebraska. Holmes reported that she had seen Alexander with at least 100 blue M30 fentanyl pills at his residence.

On 02-01-2024 Holmes participated in a proffer interview. During the interview, Holmes further explained her drug relationship with Alexander. Holmes stated that she had purchased fentanyl pills from Alexander between February 2023 and August 2023. Holmes stated that during this period she purchased between 10-30 fentanyl pills per day from Alexander.

Case C4-011054:

On 02-06-2024 your AFFIANT, along with another LLCNTF investigator, arrested BRYAN L MCKINNEY (10-04-1985) and JESSICA MD SERDA (06-05-1985) in a vehicle at 1445 S 17th St for POSSESS CONTROLLED SUBSTANCE WITH INTENT TO DELIVER (HAZ DRUG) (fentanyl) (NRS: 28-416(1)(A)). During that contact McKinney and Serda were found to be in possession of 25 blue M30 suspected fentanyl pills. Both parties waived their Miranda rights, and investigators learned that McKinney had been in the process of selling 20 of the pills to Serda when contacted by your AFFIANT.

During the interview, McKinney reported that he was currently living with Alexander at 4230 Normal Blvd. Lincoln, Lancaster County, Nebraska. McKinney reported that the fentanyl pills that he possessed on that date he had obtained from Alexander at their residence. McKinney reported that he regularly obtained fentanyl pills from Alexander to sell on his behalf. McKinney reported that most recently he had observed Alexander in possession of approximately 100 blue M30 fentanyl pills in their residence on 02-04-2024. McKinney reported that Alexander had been obtaining these fentanyl pills by travelling to a source in Norfolk, NE and previously by travelling to a source in Denver, CO. McKinney provided a phone number for Alexander of (531) 229-5533.

McKinney consented to a download of his cellphone and its contents were reviewed. Your AFFIANT found a contact in McKinney's cellphone named 'Mitch' with phone number (531) 229-5533. Your AFFIANT reviewed messages between McKinney and Alexander taking place between 12-12-2023 and 02-06-2024. During this time frame the pair discuss 'Blues', which your affiant knows to be in reference to the blue M30 fentanyl pills. During this time the pair also discusses Alexander travelling to Norfolk, Nebraska.

Case C4-019592:

Investigator Eirich #1620 authored a location information warrant for Alexander's cellphone (531) 229-5533 that was signed by a District Judge. Investigators found that Alexander's cellphone had traveled to Norfolk, Nebraska approximately twenty times

over the previous three months. This schedule of travel would align with the information provided by McKinney. During the night of 03-04-2024 into the morning of 03-05-2024, investigators observed Alexander's cellphone to travel to Denver, CO. Investigators conducted surveillance and located a 2023 Chrysler Town and Country (TX#SXP9879) driving eastbound back into Lincoln, NE in the afternoon of 03-05-2024. Investigators knew for Alexander to have access to this vehicle.

At approximately 1747 hours, with the assistance of the Lancaster County Sheriff's Office Criminal Interdiction Team, Alexander and his girlfriend ELIZBETH A PERKINS (05-16-1978) were stopped in the vehicle on interstate 80 at mile marker 395. Inside the vehicle investigators located an estimated 538 blue M30 fentanyl pills, along with a small amount of methamphetamine. Alexander and Perkins were arrested for POSSESS CONTROLLED SUBSTANCE WITH INTENT TO DELIVER (HAZ DRUG) (fentanyl) (NRS: 28-416(1)(A)).

On the driver's seat where Alexander had been seated, your AFFIANT located an Apple iPhone. Both Alexander and Perkins identified this iPhone as belonging to Alexander. Your AFFIANT called 911 via the phone's emergency function and confirmed that the phone number for the device was (531) 229-5533. This cellphone was tagged into the Lincoln Police Department Property & Evidence Unit under Q2404249.

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 29th day of March, 2024.

Inu. J. Tenney #1821
Investigator J. Tenney #1821 of the Lincoln Police Department AFFIANT

SUBSCRIBED to in my presence and sworn to before me this 29th day of
April, 2024.

Matthew O. Mellor
Judge of the District Court

Matthew O. Mellor

Printed Name of Judge

ATTACHMENT A: Digital Device to Be Searched

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

- **A black and blue iPhone with phone number (531) 229-5533**, 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 **Q2404249** and Case Number **C4-019592**.

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 **12-12-2023** to **03-05-2024**, 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.
18. Memos and notes (typed and voice).
19. User dictionary.
20. Calendar information.
21. Passwords, keychains.

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 devices 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.