

MAY 23 2024

FILED
Clerk of District Court

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA

CR24-1

STATE OF NEBRASKA)
) SS.
COUNTY OF LANCASTER)

RETURN AND INVENTORY

On May 10, 2024, Trooper Jordan Dostal #481 was on duty, in uniform, wearing the badge of office, and in a marked patrol unit in Lancaster County, Nebraska.

At approximately 2134 hours, Trooper Dostal observed a silver Ford Fusion driving with out its lights on near 48th and Cornhusker heading eastbound. Trooper Dostal turned around on the vehicle and lost visual of it. Trooper Dostal observed a motorcyclist wave his hand at Trooper Dostal to stop near Havelock and Cornhusker. The motorcyclist said he continued straight and believed the individual was driving while intoxicated.

Trooper Dostal observed the vehicle near 84th and Cornhusker continuing eastbound. Trooper Dostal observed the vehicle to fail to stay in its lane. Trooper Dostal activated his emergency lights and the driver accelerated the vehicle fleeing from Trooper Dostal's traffic stop.

NSP helicopter stated over the radio that they had it and were following it with the camera system. NSP helicopter observed the vehicle come to a stop at 321 Haverford Dr.

Trooper Dostal arrested the driver, MOHAMMAD SAAD JAWAD ALHASAN (DOB: 10/25/1999). Trooper Dostal smelled the odor of an alcoholic beverage emitting from Alhasan. Alhasan was transported to Bryan West Hospital (BWH).

Trooper Dostal read Alhasan the Post Chemical Test Advisement Form to submit to a blood draw. Alhasan stated to Trooper Dostal, no. Trooper Dostal read the form at 2305 hours.

Trooper Dostal filled out a search warrant for Alhasan's blood and was signed. Trooper Dostal arrived back to BWH with the signed warrant. Trooper Dostal read subsection (3) of the Post Chemical Test Advisement Form at 0011 hours and showed the copy of the signed warrant to Alhasan. Alhasan stated that he would not submit to a blood draw. Trooper Dostal cited Alhasan for refusal.

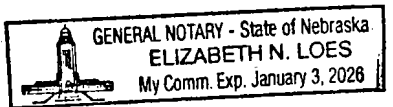


002176393D02

Jordan Dostal #481

Officer name ✓

SUBSCRIBED AND SWORN TO before me this 16 day of May, 2024.



[Signature]

NOTARY S

232

SEARCH WARRANT

TO: Any Peace Officer in the City, State of Nebraska

Pursuant to the Affidavit for a Search Warrant executed by Trp. Jordan Dostal #481, who has reason to believe that within the person of Mohammed Saad Jawad Alhasan, DOB 10 25 1992, Driver's License H13767530, there exists evidence of an alcoholic beverage or a controlled substance dangerous drug in the blood of the above described person. This blood constitutes evidence tending to prove the commission of the offense to Driving While Under the Influence in violation of Neb. Rev. Stat. §60-6.196. I am satisfied that there is probable cause to believe that the evidence so described is located in the blood of the above described person and that legal grounds exist for the issuance of a search warrant.

IT IS ORDERED THAT the affiant shall immediately and personally serve a copy of this search warrant upon the suspect; the suspect is ordered by the Court to submit to a blood test at the direction of the arresting officer or any other peace officer to test for evidence of an alcoholic beverage or a controlled substance dangerous drug; and that said blood test is to occur in an appropriate medical setting in strict accord with medically acceptable practices by a physician, physician assistant, registered nurse, emergency medical technician, chemist, nurse practitioner, or other qualified technician, as provided by law.

Issued this 19 day of May, 2024.

Jamie
JUDGE



AFFIDAVIT IN SUPPORT OF SEARCH WARRANT IN DUI CASE

Trp. Jordan Dostal 481 after being duly sworn and upon oath, depose and state as follows:

1. I am a duly appointed, qualified, and acting law enforcement officer for the Nebraska State Patrol;
2. That I have the necessary training, certifications, and experience to investigate cases where drivers are suspected to be operating motor vehicles under the influence of alcohol or controlled substances;
3. That on today's date, 05 10, 2024, at 2251 pm, Mohammed Saad Jawad Alhasan (hereinafter "Driver"), DOB 10 25 1999, Driver's License II13767530, was in actual physical control of a vehicle and did operate said vehicle in a public place while under the influence of alcohol or controlled substance, drug, or dangerous drug in violation of Neb. Rev. Stat. §60-6,196.
4. That I or a fellow law enforcement officer made contact with Driver at the address: 321 Havertford Dr.
5. That I or a fellow law enforcement officer observed Driver as follows: (Mark all that apply)
 - a. The vehicle was observed crossing the center line, weaving with the lane, traveling in excess of the posted speed limit, in an accident, other violation: _____;
 - b. Open alcohol container or drug drug paraphernalia was observed in plain view in the passenger compartment of the vehicle;
 - c. Driver exhibited an odor of intoxicants from his person;
 - d. Driver had bloodshot or glassy eyes;
 - e. Driver had slurred speech;
 - f. Driver had difficulty keeping his or her balance;
 - g. Driver admitted to consuming intoxicants described as
 - h. Drinking Corona's _____;
 - i. Driver refused to perform standard field sobriety tests;

- j. Driver performed the standard field sobriety tests and exhibiting sufficient clues to suggest his or her level of impairment is above the legal limit;
- k. Driver refused to submit to the PBT or ___ submitted to a PBT and was over the legal limit;
- l. Driver is being treated in a hospital, clinic, doctor's office, emergency medical vehicle, ambulance, or other similar facility, or is at a location that lacks an instrument approved by the State of Nebraska for performing breath testing, and Driver refused to submit to a blood test;
- m. Driver is incapable of submitting to a breath alcohol test due to physical injury, physical incapacity, or other physical limitation, and Driver has refused to submit to a blood test;
- n. Driver was not afforded the opportunity to take a breath alcohol test on an instrument approved by the State of Nebraska because ___ the available instrument is currently out of order, ___ Driver does not speak English and the implied consent warning is not available in a language that he or she understands, ___ a low alcohol concentration reading on the portable breath test device makes it probable that any impairment is the result of a substance or drug other than alcohol;
- o. Other: The suspect was the only person in the vehicle.

6. Based upon the totality of the circumstances, I am of the opinion that Driver is impaired and operating a motor vehicle beyond the legal limit as set forth in Neb. Rev. Stat. §60-6.196

Officer respectfully requests that a search warrant be issued this Officer or any other peace officer in Lancaster County, Nebraska to search for and seize whole blood in an amount sufficient for testing and analysis from the Driver in an appropriate medical setting, as provided for by law, to determine Driver's blood alcohol content.

Trp. Jordan Dostal #481
 Officer's name: _____ Badge

Sworn to and subscribed before me on this 10 day of May, 2024, at 2259 o'clock p.m.