

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA

CR24-1

STATE OF NEBRASKA )  
 ) SS.  
COUNTY OF LANCASTER )

RETURN AND INVENTORY

On the 30<sup>th</sup> of December 2023, Trooper Regan Holst #358 was on duty, in uniform, wearing the badge of office, and in a marked patrol unit in Lancaster County, Nebraska.

Trooper Holst served a search warrant to a driver, who was suspected to be driving under the influence of alcohol and/or drugs, and due to sustained injuries was unable to consent/refuse to give blood. The driver was identified by her Nebraska Driver's License as Shelli Sue Stockinger DOB(09/08/1962) of Lincoln, Nebraska.

Trooper Holst gave an unopened and unexpired blood test kit to phlebotomist 2 Sara Ojut, who broke the security seal. Stockinger's blood was drawn from her right arm at 2208 hours by phlebotomist Ojut. Trooper Holst received two vials of Stockinger's blood as evidence from phlebotomist Ojut and placed them into the blood test kit, which she signed and sealed.

The evidence that was collected was sent to lab for further testing. Results are still

pending at this time.

LANCASTER COUNTY  
2024 JAN 11 AM 3:44  
CLERK OF THE  
DISTRICT COURT

Trooper R Holst #358  
Officer name

SUBSCRIBED AND SWORN TO before me this 9 day of January, 2024.

*Sarah Kroll*  
NOTARY



MAY 29 2024

FILED  
Clerk of District Court

#238



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CLERK'S OFFICE, DISTRICT COURT  
LANCASTER COUNTY, NEBRASKA

NEBRASKA STATE PATROL

IR #: NSP23047011

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

STATE OF NEBRASKA )  
 ) SS  
COUNTY OF LANCASTER

AFFIDAVIT AND APPLICATION  
FOR A SEARCH WARRANT TO OBTAIN  
WHOLE BLOOD AND/OR URINE  
FOR CHEMICAL TESTING

COMES NOW The Affiant, Trooper Regan Holst #358 of the Nebraska State Patrol who requests that a search warrant be issued for the collection of:

- WHOLE BLOOD**
- URINE**

CLERK'S OFFICE, DISTRICT COURT  
 LANCASTER COUNTY, NEBRASKA  
 MAY 29 2024  
 FILED  
 Clerk of District Court

FROM THE PERSON AND UNDER THE CONTROL OF:

**NAME: Shelli Sue Stoeckinger** , herein referred to as **THE SUSPECT**.  
**D.O.B: (09/08/1962)**  
**SEX: Female**  
**RACE: White**  
**OLN AND STATE: G14009121 Nebraska**

who is currently suspected of the offense of **DRIVING UNDER THE INFLUENCE OF ALCOHOLIC LIQUOR AND/OR DRUGS and POSSESS CONTROLLED SUBSTANCE SCH 1/2/3**

**The following are the facts and circumstances establishing the probable cause for the issuance of this search warrant:**

The Affiant is a certified, full-time law enforcement officer employed by the Nebraska State Patrol and has been employed in law enforcement for 2 years. The Affiant has successfully completed training at the Nebraska State Patrol Training Academy and is trained to administer Standardized Field Sobriety Tests (SFST). This education and experience has trained the Affiant to detect impaired or intoxicated drivers by:

- 1) Observing their driving behavior which includes, but is not limited to: weaving in and/or out of their lane of travel, traffic signal violations, speeding, and involvement in motor vehicle collisions;
- 2) Observing their physical characteristics which include, but are not limited to: bloodshot eyes, unsteady balance, slurred speech, and/or an odor of alcoholic beverage about their person; and
- 3) The use of Standardized Field Sobriety Tests including: Horizontal Gaze Nystagmus, the One Leg Stand, and the Walk and Turn tests. These tests are used by law enforcement professionals, and Affiant finds they are accurate and reliable indicators of alcohol and/or drug impairment, or lack thereof. Affiant has arrested numerous people for driving under the influence of alcohol and/or drugs based upon clues of impairment observed on these tests, as well as releasing many people based upon lack of impairment observed on these tests.

Additionally, the Affiant has attended and successfully completed:

**Advance Roadside Impaired Driving Enforcement (A.R.I.D.E.) training:** A sixteen (16) hour course of instruction that conformed to the curriculum standards established by the National Highway Traffic Safety Administration and the Technical Advisory Panel of the International Association of Chiefs of Police.

**Drug Evaluation and Classification Program (D.E.C.P.) – Drug Recognition Expert (DRE) training:** A training course that conformed with the curriculum standards established by the National Highway Traffic Safety Administration and the Technical Advisory Panel of the International Association of Chiefs of Police requiring seventy-two (72) hours of classroom instruction, successful completion of a written examination, and the completion of twelve (12) drug evaluations under the supervision of a DRE instructor with a 75% toxicological corroboration rate.

**OTHER:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Over Affiant's law enforcement career, Affiant has made numerous arrests of individuals for driving under the influence of alcoholic liquor and/or drugs in which your Affiant has observed the same or similar driving behaviors and/or physical characteristics of alcohol and/or drug impaired drivers as are listed above. Affiant has also formed opinions on alcohol and/or drug impaired drivers on many occasions and Affiant's opinions have been confirmed by breath, blood, or urine tests that were administered after Affiant had performed an investigation.

In this case, at approximately 1736 hours, on December 30, 2023, the Affiant was working in an official capacity with the Nebraska State Patrol. During that time Affiant made contact with a motor vehicle under the following circumstance(s) or reason(s): Trooper Holst responded to an injury accident on Interstate 80 mile marker 399 eastbound. Trooper Holst observed an LPD officer starting CPR on the driver of the vehicle. LFR arrive on scene and took over care. Trooper Holst began obtaining witness statements. LPD officers notified Trooper Holst that they located a white powdery substance, located in the front the vehicle, that was field tested positive for cocaine and one unused syringe. LPD officer and Trooper Holst observed 7 unopened shooters in the female's purse. Based on Trooper Holst observation of the accident scene, it is of reasonable belief that driver was using the substance while operating the motor vehicle, due to the vicinity of the substance, syringe, and manner of crash.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The individual in actual physical control of the motor vehicle was identified by Nebraska Driver's License as the above-named Suspect: Shelli Sue Stoeckinger DOB(09/08/1962)

During contact with the Suspect, Affiant made the following observations or was advised of such by a fellow law enforcement officer:

- Odor of an alcoholic beverage or drugs
- Bloodshot, watery and / or glassy eyes
- Slurred speech

- Flush face
- Open container of alcohol
- Drugs or drug paraphernalia
- Admission to consumption of alcohol and / or drugs
- Unsteady balance
- Inability to follow instructions

OTHER: 7 unopened liquor shooters

Witness Statement: Sara S Kahlil DOB(06/26/1982) provided the following information with respect to Suspect's operation of a motor vehicle, circumstances of the motor vehicle collision, or observations that led them to believe the Suspect was intoxicated:

Approximately 1/2 mile from the accident scene, Kahlil stated she observed the suspect vehicle hit the right hand bridge guard rail, got back into lane of travel. Witness stated that she observed the vehicle hit the guard rail again and drove onto the shoulder, slowing down to approximately 20 miles an hour, and drove down the hill. Witness states that she stopped and got out to check on driver. Witness observed all the doors were locked and a napkin with blood was in suspects lap. Witness assisted with removing suspect from vehicle and began CPR.

That the Affiant requested the Suspect to submit to Standardized Field Sobriety Tests. The Suspect submitted to the following tests:

- Horizontal Gaze Nystagmus
- Walk and Turn
- One Leg Stand
- Unable to perform SFST. **EXPLAIN:** CPR was being conducted
- Refused to perform SFST
- OTHER: \_\_\_\_\_

That the Affiant is a Class C Permit holder authorized to utilize specific preliminary breath testing devices and is trained in the administration and interpretation of such tests.

- The Suspect submitted to the preliminary breath test (PBT). RESULT: \_\_\_\_\_

The Suspect refused or was otherwise unable to submit to the preliminary breath test (PBT).

Based upon my above recited training and experience as well as the totality of the circumstances, the Affiant believes the Suspect was impaired due to a combination of alcohol and drugs at the time they were in actual physical control of a motor vehicle in violation of Neb. Rev. Stat § 60-6,196. A court authorized blood draw will allow law enforcement to determine the concentration of alcohol in the Suspect's blood and assist in the prosecution of a DUI charge. A blood draw is requested due to the Suspect being transported to the hospital or other reason and based upon the following facts: The suspect is currently receiving extensive emergency care and unable to be interviewed.

That based upon my understanding of alcohol and drugs and their effects on the body it is necessary to serve this warrant immediately upon its approval to avoid elimination or dissipation of alcohol from the Suspect's system thereby losing evidence relating to the offense(s) for which the Suspect was arrested. For this reason, public interest requires this warrant be served **anytime**, daytime or nighttime, to prevent any further loss of evidence.

Further, the requested blood samples will be collected in a medically and scientifically acceptable manner that is in conformity with *Neb. Rev. Stat. § 60-6,201*, which provides that such blood samples shall be drawn by a physician, registered nurse, or other trained person employed by a licensed health care facility or health care service defined in the Health Care Facility Licensure Act, a clinical laboratory certified pursuant to the federal Clinical Laboratories Improvement Act of 1967, as amended, or Title XVIII or XIX of the federal Social Security Act, as amended to withdraw human blood for scientific or medical purposes. Also that the blood samples collected will be tested in accordance with *Neb. Rev. Stat. § 60-6, 201* and the applicable regulations promulgated by Department of Health and Human Services.

That based upon the Affiant's previous impaired driving investigations and experiences with obtaining blood samples for blood alcohol concentration, Affiant is aware two vials of blood are typically collected for subsequent testing and should be collected as a part of any blood withdrawal authorized pursuant to this application for search warrant.

**WHEREFORE**, your Affiant based upon the aforementioned information, prays for the Court to issue a search warrant authorizing the collection of two vials of blood from the Suspect, for the express and sole purpose of determining the blood alcohol concentration and / or presence of drugs in a scientific and medically acceptable manner; and that said warrant be served **anytime** given that blood alcohol and / or drug concentrations in the human body will dissipate rapidly and eventually become undetectable as time passes.

TYP. R. HART #3500  
Trooper Holst, Nebraska State Patrol

SUBSCRIBED AND SWORN TO before me this 30<sup>th</sup> day of December, 2023.


County Court Judge, Lancaster County, NE

NEBRASKA STATE PATROL

IR No.: NSP23047011

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

STATE OF NEBRASKA )  
 ) SS  
COUNTY OF LANCASTER )

SEARCH WARRANT

TO: Trooper Holst of the Nebraska State Patrol, and other certified Nebraska law enforcement officers,

WHEREAS, I am satisfied that probable cause exists for issuance of a search warrant based upon the affidavit of Trooper Holst, attached hereto and made a part hereof by reference, and that certain described substance or property:

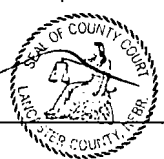
Shelli Sue Stoeckinger DOB (09/08/1962) Whole blood, to determine the concentration of alcohol in their blood;

Shelli Sue Stoeckinger DOB (09/08/1962) Whole blood , to determine the presence of drugs in their blood.

**YOU ARE THEREFORE COMMANDED**, with the necessary and proper assistance of a doctor, or a registered nurse, and in a manner consistent with Title 177 of the Nebraska Administrative Code – Chapter 1, to take a sample of Shelli Sue Stoeckinger DOB (09/08/1962) blood, sufficient in quantity to be analyzed for determination of blood alcohol concentration or drug content. You shall give Shelli Sue Stoeckinger DOB (09/08/1962) a copy of this warrant and a receipt for the blood or urine sample taken. You shall promptly file a return and inventory with this court. Due to the vanishing nature of blood alcohol concentration and drug content evidence, this warrant shall be served **ANYTIME**.

Dated this 30 day of December, 2023 at 9:15 p.m.

  
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County Court Judge, LANCASTER County, Nebraska

CLERK'S OFFICE, DISTRICT COURT  
LANCASTER COUNTY, NEBRASKA

MAY 29 2024

FILED

Clerk of District Court