

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

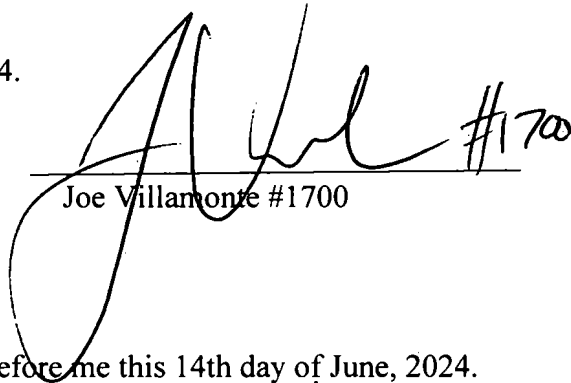
OMARION WEAVER)
(DOB 03-24-2005)

STATE OF NEBRASKA)
) ss.
County of Lancaster)

The undersigned states that she received the Order to Produce Identifying Physical Characteristic Evidence issued herein on the 13th day of June, 2024 and that he did execute the same on the 14th day of June, 2024 by obtaining the evidence described, to-wit:

TWO DNA BUCCAL SWABS

DATED this 14th day of June, 2024.

 #1700

Joe Villamonte #1700

SUBSCRIBED AND SWORN to before me this 14th day of June, 2024.



Notary Public

LANCASTER COUNTY
2024 JUN 14 PM 2:55
CLERK OF THE
DISTRICT COURT



C4-039364



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IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

STATE OF NEBRASKA,
PLAINTIFF,

VS.

OMARION WEAVER
(DOB)03-24-2005,

ORDER TO PRODUCE IDENTIFYING
PHYSICAL CHARACTERISTICS

TO: Joe Villamonte, and other law enforcement officers of the Lincoln Police
Department

WHEREAS, Joe Villamonte 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 POSS FIREARM WITH FEL 2A DRUG VIOLATION -
416(16)(D is the subject of said Affidavit referred to above.
2. That there is probable cause to believe that the offense of POSS FIREARM
WITH FEL 2A DRUG VIOLATION - 28-416(16)(D has been
committed.
3. That there is probable cause to believe that Joe Villamonte committed said
offense.
4. That Identifying Physical Characteristics Sought is/are DNA through buccal
swabs.
5. That Omarion Weaver has refused, or there is reason to believe that Omarion
Weaver will refuse, to voluntarily provide the identifying physical characteristics
sought.
6. That Omarion Weaver is the individual who may be detained for obtaining such
identifying physical characteristics.
7. That Joe Villamonte and other officers of the Choose an item.

CLERK OF THE
DISTRICT COURT

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LANCASTER COUNTY

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 Omarion Weaver 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 Lincoln, Lancaster County, Nebraska.
10. That Omarion Weaver shall appear in the city of Lincoln, Lancaster County, Nebraska, at such date and time as is designated by Joe Villamonte for the purpose of obtaining the above-mentioned identifying physical characteristics.
11. That if Omarion Weaver fails to comply with the request of said Joe Villamonte, the said Omarion Weaver shall be guilty of contempt of court and be punished accordingly.
12. That Omarion Weaver shall be required to stay no longer than one (1) hour for the purpose of Joe Villamonte 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 Omarion Weaver.
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 Omarion Weaver 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 13 day of June,
2021

BY THE COURT: 

JUDGE OF THE COUNTY COURT

PRINTED NAME OF JUDGE

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

STATE OF NEBRASKA,
PLAINTIFF,

VS.

OMARION D. WEAVER,
(DOB)03-24-2005

AFFIDAVIT FOR
ORDER TO PRODUCE IDENTIFYING
PHYSICAL CHARACTERISTICS

CLERK OF THE
DISTRICT COURT

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LANCASTER COUNTY

COMES NOW, Investigator Joe Villamonte of the Lincoln Police Department, being first duly sworn upon oath, deposes and states as follows:

1. Your AFFIANT was assigned to investigate a POSS FIREARM WITH FEL 2A DRUG VIOLATION - 28-416(16)(D) that occurred at 1730 G Street in Lincoln, Lancaster County, Nebraska.

2. Your AFFIANT has reviewed reports of other peace officers involved in the investigation of POSS FIREARM WITH FEL 2A DRUG VIOLATION - 28-416(16)(D) and has conducted additional follow up into the investigation of the incident. According to the information that your AFFIANT obtained:

On 05-08-2024, your Affiant was conducting social media surveillance on Omarion Weaver's known Snapchat account 'freemenace7414'. Your Affiant had verified the account belongs to Weaver by observing numerous selfie style videos and photographs posted to the account. Your Affiant observed Weaver to have three posts from 05-07-2024. In two of the posts Weaver states 'in rotation' with a cell phone emoji and a post with him seated in the driver's seat of a vehicle with two cell phone emoji's and two vehicle emoji. Your Affiant knows through extensive investigative experience involving narcotics sales through social media that Weaver is telling people viewing the posts he is mobile with controlled substances for sale and to contact him via phone to arrange the purchase of the controlled substances. On an additional post from 05-07-2024, Weaver posted a selfie style photograph with a handgun in his pocket and a large amount of United State Currency spread out along his arm. Your Affiant knows through investigative experience that people involved in the sale of controlled substances commonly post firearms so people observing their posts know they are armed to

prevent theft of their product and proceeds. A portion of the vehicle was visible in one of Weaver's posts, and your Affiant was able to confirm that Weaver's relative owned a blue Chevrolet Suburban K1500 with Nebraska plates APZ 769 and the vehicle was registered to 1711 D Street #3 in May of 2024.

On 05-08-2024, your Affiant observed an additional Snapchat post from Weaver with the caption of 'In rotation' with a cell phone and vehicle emoji. Lincoln Police Gang Investigators then began to conduct surveillance on 1711 D Street. During surveillance, your Affiant observed Weaver arriving at the residence in the blue Chevrolet Suburban without the license plates properly affixed to the vehicle. Your Affiant then observed a small orange colored SUV pulling right behind Weaver and Weaver exited his vehicle to contact the occupant or occupants of the SUV. Weaver returned to his vehicle a short time later and then entered his apartment while the driver of the SUV pulled away. Your Affiant knows through investigative experience that short term interactions like this are indicators of narcotic transactions. Investigators then observed Weaver exit the apartment and enter the driver's seat of the Chevrolet Suburban. Weaver left the residence driving the vehicle, and again no visible license plates were observed on the front or rear of the vehicle. Investigators called for a marked LPD cruiser to conduct a stop, however Weaver pulled into the lot of 1730 G Street where officers contacted Weaver on a stop by using flashing lights on unmarked vehicles. Upon approaching Weaver's vehicle, he was observed to take a satchel style bag off his person and lay it in the passenger seat. Investigators immediately detected the odor of burnt marijuana coming from within the vehicle, and Weaver admitted to using marijuana in the vehicle the day prior. Weaver was asked out of the vehicle and admitted there was marijuana in the center console, and ultimately a firearm in the vehicle. During a search of the vehicle, Investigators located a single bag containing 22.7 grams of marijuana in the center console. Investigators located a black Glock 17 9mm handgun with a loaded magazine (S/N BGAG260), a digital scale, an empty bag with marijuana residue, a bag containing 4.8 grams of marijuana, and a single pill marked 'rp 10325' all within the black satchel Weaver was wearing. A check of the serial number of the firearm was done, and the firearm was found to be stolen from a larceny from auto on 11-19-2023 documented under LPD case C3-103945. A check of the pill located in the satchel was conducted using a pill identifying webpage, and the pill was found to be Oxycodone and Acetaminophen, a schedule

2 controlled substance which Weaver did not have a prescription for. Investigators located \$141 in U.S. currency in Weaver's wallet in the vehicle in various denominations. Investigators know through extensive investigative experience and training that the contraband located together are indicators of narcotics distribution with the possession of a firearm to protect their product and proceeds from theft. Weaver was cited and lodged at the Lancaster County Jail for felony drug and weapon offenses.

3. Your AFFIANT knows that buccal DNA swabs are a way of producing non-testimonial identification evidence regarding the person responsible for the POSS FIREARM WITH FEL 2A DRUG VIOLATION - 28-416(16)(D) described herein. The identifying physical characteristics sought from Omarion Weaver 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 Omarion Weaver as being the person responsible for the POSS FIREARM WITH FEL 2A DRUG VIOLATION - 28-416(16)(D) herein.

The identifying physical characteristics sought can be obtained from Omarion Weaver 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 Omarion Weaver is responsible for POSS FIREARM WITH FEL 2A DRUG VIOLATION - 28-416(16)(D) as described herein, and in violation of the laws of the State of Nebraska.

4. Your AFFIANT has been advised by Omarion Weaver's attorney that Omarion Weaver has refused to voluntarily provide a DNA sample via buccal swabs.

Further your affiant saith not.

DATED this 13 day of June, 2024.

[Signature]
Joe Villamonte

SUBSCRIBED AND SWORN to before me this 13 day of June,
2024

[Signature]
JUDGE OF THE COUNTY COURT

[Signature]
PRINTED NAME OF JUDGE

