

LPD Case Number: C4-028916

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

CR24-1

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


SEARCH WARRANT RETURN

STATE OF NEBRASKA)
)
COUNTY OF LANCASTER) ss.

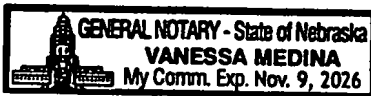
The undersigned states that he received the Search Warrant issued herein on the 6th day of May, 2024, and that he executed the same on the 6th day of May, 2024, by seizing the property described in the Inventory filed herein and by delivering a copy of the Search Warrant for the said property at the place from which the property is taken.


Corey Weinmaster

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


Notary Public

LANCASTER COUNTY
2024 MAY 10 PM 3:49
CLERK OF THE
DISTRICT COURT





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**

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 the search warrant at the premise of the Lincoln Police Department, 575 South 10th Street, Lincoln, Lancaster County, Nebraska.

Motorola Moto under LPD Property Q2406755


- Application Usage Log - 1005
- Chats - 3
- Cookies - 611
- Device Events - 14
- Device Users - 1
- Searched Items - 16
- User Accounts - 2
- Web History - 219
- Audio - 25
- Images - 1570

LANCASTER COUNTY
 2024 MAY 10 PM 3:49
 CLERK OF THE
 DISTRICT COURT

Inventory made in the presence of Derek Dittman.


 Corey Weinmaster

SUBSCRIBED to in my presence and sworn to before me this 10th 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.

Motorola Moto under LPD Property Q2406755

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- Chats – 3
- Cookies – 611
- Device Events – 14
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LANCASTER COUNTY
2024 MAY 10 PM 3:49
CLERK OF THE
DISTRICT COURT

Date 5/6/24

Devy L. Kewant #883
Law Enforcement Officer

Witness [Signature] 1551

IN THE COUNTY OF LANCASTER COUNTY, NEBRASKA

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

TO: Joseph Fisher, a Police Officer with the Lincoln Police Department, Lancaster County, Nebraska, and any and all law enforcement officers.

WHEREAS, Joseph Fisher, has filed an Affidavit before the undersigned Judge of the County Court of Lancaster County, Nebraska; 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 a Motorola, Model Moto G 5G, located in the Lincoln Police Property Evidence Unit at 575 South 10th St., Lincoln, Lancaster County, NE, labeled with Property Number Q2406755 and Case Number C4-028916 for the following items:

Text communication between Connor J Sweeney, phone number (402)770-3258 and Natasha A Leppky, phone number (402)540-5685 occurring after 04-02-2024.

Evidence to be searched for includes:

- a. Evidence of use of the device to communicate with others about the above-listed crime(s), via email, chat sessions, instant messages, text messages, app communications, social media, internet usage, and other similar digital communications;
b. Information that can be used to calculate the position of the device between the above dates, including location data; GPS satellite data; GPS coordinates for routes and destination queries between the above-listed dates; "app" data or usage information and related location information; IP logs or similar internet connection information, and images created, accessed or modified between the above-listed dates, together with their metadata and EXIF tags;
c. Evidence of the identity of the person in possession of the device(s) and the associated times and dates. Such evidence may be found in digital communications, photos and video and associated metadata, IP logs, documents, social media activity, and similar data.

This Search Warrant shall be executed and returned within ten (10) days to the Clerk of the Lancaster District Court, Nebraska. In the event records are not received obtained within ten (10) days, law enforcement is authorized to return the search warrant within ten (10) days of receipt of the records.

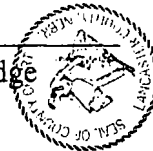
Given under my hand and seal this 6th day of May, 2024.



JUDGE OF THE COUNTY COURT

Holly J. Parsky

Printed Name of County Court Judge



IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

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

Joseph Fisher, being first duly sworn upon oath deposes and states that he is a Police Officer for the Lincoln Police Department, Lancaster County, Nebraska. AFFIANT further states he is currently involved in the investigation of Protection Order Violation 42-924(4), occurring at 5730 S 50th St., Lincoln, Lancaster County, Nebraska. As part of the investigation, AFFIANT has consulted with other involved law enforcement and reviewed case reports. AFFIANT states as follows:

The item(s) to be searched for digital evidence are particularly described as:

Motorola, Model Moto G 5G, located in the Lincoln Police Property & Evidence Unit at 575 South 10th St., Lincoln, Lancaster County, Nebraska, labeled with Property Number Q2406755 labeled with Case Number C4-028916;

The item(s) to be searched will be delivered to the Electronic Evidence Unit located at 605 South 10th St., Lincoln, Lancaster County, Nebraska for digital forensic processing and analysis. The Electronic Evidence Unit forensic examiners may designate additional forensic services, as they may deem necessary to complete the analysis. Once examination and analysis has been completed, the listed evidence shall be returned to the Lincoln Police Department Property Unit, where it will be held until any final disposition by the Court or per law.

Facts:

On 04-06-2024 at approximately 0803 hours, your Affiant was dispatched to 5730 S 50th St., Lincoln, Lancaster County, Nebraska reference a belated protection order violation. Dispatch advised Natasha A. Leppky had called stating she had received communication from Connor J. Sweeney, 02-13-1991, overnight.

Your Affiant contacted Natasha Leppky who stated she had a child in common with Connor Sweeney and has been granted a protection order against Connor Sweeney after a disturbance occurring on 04- 01-2024 (C4-027460). Natasha Leppky further told your Affiant that this order restricted Connor Sweeney from contacting her. She stated on 04-06-2024, at approximately 0717 hours, she received a text message from Connor Sweeney asking her to send him artwork he had completed for their child in common. Leppky showed your Affiant the text message from phone number (402)770-3258. This phone number matched what is the LPD records management system for Connor Sweeney. Your Affiant contacted the Lancaster County Sheriff's Office and learned that a protection order had been served to Connor Sweeney on 04-02-2024 by Deputy Bryant. The order states under paragraph#3 'Respondent [Connor Sweeney] is enjoined and prohibited from telephoning, contacting, or otherwise communicating with the petitioner(s), except'.

Connor Sweeney was contacted at his home at approximately 0915 hours and asked about sending Natasha Leppky messages. He stated had to get art work for his daughter back. Connor Sweeney was further aware of the protection order he had been served. Connor Sweeney's cell phone was in his home at the time of his arrest. Sweeney asked Lancaster County Sheriff's Deputies to retrieve his phone and medication prior to securing his home. His phone was given to him and subsequently seized as part of this investigation.

Digital Storage Devices

Your AFFIANT knows from training and experience that digital media devices and related digital storage devices, such as cell phones, can be used to create, edit, delete, share, and store files and other data including, live and deleted documents, photographs, videos, electronic mail (e-mail), search history and other relevant user information.

Your AFFIANT also knows from training and experience that computers and mobile devices, such as cell phones, connected to the Internet, are used to search the World Wide Web for content and such access can allow users to access and control data such as pictures, videos, documents, and other files.

Your AFFIANT also knows that such devices are often used to communicate and share data with other users and that such digital data can be transferred between various devices. Your AFFIANT knows that information associated with such data may show evidence of current, on-going, future, and past criminal activity. Your AFFIANT knows that this type of information can be used to identify and locate potential victims, witnesses, and co-conspirators.

Your AFFIANT also knows that data associated with these devices can often include user attribution data that can help identify the person(s) who sent, received, created, viewed, modified, or otherwise had control over particular content.

Through your Affiant's training and criminal investigation experience examining cellular telephones, your Affiant is aware cellular telephones typically contain electronic records concerning calls made to, from, or missed by the cellular telephone. In addition, cellular telephones typically contain electronic records of text messages sent to and from the telephone, and other types of communication between persons. Cellular telephones typically contain a "phone book" of stored names and telephone numbers.

Through your Affiant's training and experience with examining digital devices, your Affiant is aware cellular telephones typically contain electronic records concerning calls made to, from, or missed by cellular telephone. In addition, digital devices typically contain electronic records of messages sent to and from the device, and other types of communications between persons. Digital devices typically contain a "contact list" of stored names, telephone numbers, usernames, and accounts.

Your AFFIANT know evidence can remain on the device or media for indefinite periods of time after the communication originally took place, even if deleted by the user. A forensic examiner may be able to recover information deleted by the user throughout the working life span of the device.

Your AFFIANT knows digital data can be found in numerous locations, and formats. Evidence can be embedded into unlikely files for the type of evidence, such as a photo included in a document or converted into a PDF file or other format in an effort to conceal their existence. Information on devices and

media can be stored in random order; with deceptive file names; hidden from normal view; encrypted or password protected; and stored on unusual devices for the type of data, such as routers, printers, scanners, game consoles, or other devices that are similarly capable of storing digital data.

Your AFFIANT knows, that, wholly apart from user-generated files and data, digital devices and media typically store, often without any conscious action by the user, electronic evidence pertaining to virtually all actions taken on the digital device, and often information about the geographic location at which the device was turned on and/or used. This data includes logs of device use; records of the creation, modification, deletion, and/or sending of files; and uses of the internet, such as uses of social media websites and internet searches/browsing.

Your AFFIANT knows device-generated data also includes information regarding the user identity at any particular date and time; usage logs and information pertaining to the physical location of the device over time; pointers to outside storage locations, such as cloud storage, or devices to which data may have been removed, and information about how that offsite storage is being used. If the device is synced with other devices, it will retain a record of that action. Digital device users typically do not erase or delete this evidence, because special software or use of special settings are usually required for the task. However, it is technically possible to delete this information.

Your AFFIANT knows digital devices can also reveal clues to other locations at which evidence may be found. For example, digital devices often maintain logs of connected digital or remote storage devices. A scanner or printer may store information that would identify the digital device associated with its use. Forensic examination of the device can often reveal those other locations where evidence may be present.

Your AFFIANT knows, 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 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 the forensic examiner may also need the following items in order to conduct a thorough and accurate search of the devices: computer hardware, software, peripherals, internal or external storage devices, power supplies, cables; internet connection and use information; security devices; software; manuals; and related material.

Your AFFIANT knows, that searching the digital device itself would irreversibly alter data and/or evidence on the device. The commonly accepted best practice method to search a digital device for evidence involves creating a digital image of the device and then searching that image for the responsive evidence. Creating a forensic image does not alter any evidence on the device; it only copies the data into a searchable format. The image is then searched using search tools to locate and identify that evidence whose seizure is authorized by this warrant. The unaltered device and the image are then preserved in evidence.

Your AFFIANT knows modern digital devices and media can contain many gigabytes and even terabytes of data. Due to the potential for an extremely large volume of data contained in devices and media, and that fact that evidence can be stored/located in unanticipated locations or formats and/or embedded in other items stored on the device/media, investigators typically need to use specialized equipment in their search. Such large volumes of data also mean that searches can take days or even weeks to complete.

Your AFFIANT also requests authority to obtain assistance from a technical specialist, to review the digital device(s) and digital media for the best and least intrusive method of securing digital evidence that this warrant authorizes for seizure, and to assist in securing such evidence.

Based on all the foregoing information, there is probable cause to believe that evidence of the above-listed crimes exists in the above-described digital devices and that there is probable cause to search those devices for the evidence of the above crimes.

Your AFFIANT knows from my training and experience, and from information provided to me by Electronic Evidence Unit Personnel that it is necessary to search live and deleted data recovered from digital devices from the time when the device was first used through the time when the device was seized. This is specifically necessary to establish associations between a particular device and associated applications and files to a particular user (or users). This scope of time is necessary to identify potential inculpatory and exculpatory evidence during the planning, execution and post event activities of potential criminal activity. These activities may include communication, contact, calendar entries, pictures, videos, location information (including GPS, navigation, and maps), This scope of time is also necessary to determine accurate device date and time settings, including time zone changes, and allow for the analysis any associated data within a proper context. I know from my training and experience that it is

important to understand events of a particular day and time in proper context that may exist before and to attribute particular users of a device and associated applications.

The above does constitute grounds of probable cause for the issuance of a Search Warrant for Motorola, Model Moto G 5G, located in the Lincoln Police Property & Evidence Unit at 575 South 10th St., Lincoln, Lancaster County, NE, labeled with Property Number Q2406755 labeled with Case Number C4-028916 for the following items occurring on 04-02-2024:

Evidence to be searched for includes:

- a. Text communication between Connor J Sweeney, phone number (402)770-3258 and Natasha A Leppky, phone number (402)540-5685 occurring after 04-02-2024.
- b. Evidence of use of the device to communicate with others about the above-listed crime(s), via email, chat sessions, instant messages, text messages, app communications, social media, internet usage, and other similar digital communications;
- c. Information that can be used to calculate the position of the device between the above dates, including location data; GPS satellite data; GPS coordinates for routes and destination queries between the above-listed dates; "app" data or usage information and related location information; IP logs or similar internet connection information, and images created, accessed or modified between the above-listed dates, together with their metadata and EXIF tags;
- d. Evidence of the identity of the person in possession of the device(s) and the associated times and dates. Such evidence may be found in digital communications, photos and video and associated metadata, IP logs, documents, social media activity, and similar data;

Your AFFIANT would also like to advise the court that the examination of digital devices is a lengthy process requiring special steps to ensure the integrity

of the electronic evidence. Therefore, it may not be possible to complete a return for the court within the 10 days normally required by the court.

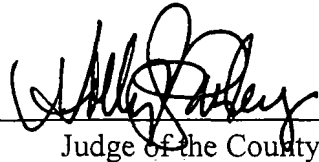
Further AFFIANT saith not;

Dated this 6 day of May, 2024.



Joseph Fisher, AFFIANT

SUBSCRIBED to in my presence and sworn to before me this 6th day of May, 2024.



Judge of the County Court



Holly J. Farley

Printed Name of Judge