LPD Case Number: C4-018856

# IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF THE SEARCH WARRANT OF THE DESCRIBED PREMISES OF 4230 W ST & 2014 FORD FOCUS VIN: 1FADP3F29EL334045 LINCOLN, LANCASTER COUNTY, NEBRASKA SEARCH WARRANT RETURN

STATE OF NEBRASKA )
) ss.
COUNTY OF LANCASTER )

The undersigned states that he received the Search Warrant issued herein on the 17th day of June, 2024, and that he executed the same on the 17th day of June, 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.

Corbin Eisenmenger

LANCASTER COUNTY
2024 JUN 20 PM 3: 27
CLERK OF THE
DISTRICT COLLET

Notary Public

GENERAL NOTARY - State of Nebraska

C VANESSA MEDINA

My Comm. Exp. Nov. 9, 2026





Warrant Return & Inventory

002181674D02

### **INVENTORY**

IN THE COUNTY COURT OF LANC IN THE MATTER OF THE SEARCH WARRA OF THE DESCRIBED PREMISES OF 4230 W ST & 2014 FORD FOCUS VIN: 1FADP3F29EL334045 LINCOLN, LANCASTER COUNTY, NEBRAS	ISTRICT COU	2024 JUN 20 PM 3: 27	ANCASIER COUNTY
STATE OF NEBRASKA ) ) ss.	INVENTORY OF PROPE		
COUNTY OF LANCASTER 1	SEARCH WARRANT ISSUED F		IN

Corbin Eisenmenger, 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 undersigned hereby acknowledges receipt of the following described property seized from 4230 W St:

- One white bulb syringe
- One blue/gray Baby Trend brand child safety seat and base
- Digital Photographs

The undersigned hereby acknowledges receipt of the following described property seized from the black 2014 model year Ford Focus assigned vehicle identification number 1FADP3F29EL334045 and assigned Nebraska license plate number YYR680 located at 101 Charleston St.

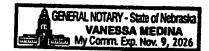
- One black/gray Cosco brand child safety seat
- One pink child safety seat/booster seat
- Digital Photographs

Inventory made in the presence of Michael Belleci.

Corbin Eisenmenger

SUBSCRIBED	to in my presence ar	nd sworn to before	e me this	gth	dav of
June	, 20 <u>.24</u> .				,,

Notary Public



## RECEIPT

The undersigned hereby acknowledges receipt of the following described property seized from 4230 W St:

- One white bulb syringe
- One blue/gray Baby Trend brand child safety seat and base
- Digital Photographs

The undersigned hereby acknowledges receipt of the following described property seized from the black 2014 model year Ford Focus assigned vehicle identification number 1FADP3F29EL334045 and assigned Nebraska license plate number YYR680 located at 101 Charleston St:

- One black/gray Cosco brand child safety seat
- One pink child safety seat/booster seat
- Digital Photographs

CLERK OF THE DISTRICT COURT

2024 JUN 20 PM 3: 27

DATED this /?+ day of June, 2024.

# IN THE COUNTY OF LANCASTER COUNTY, NEBRASKAS OF THE COUNTY OF LANCASTER COUNTY OF LANCASTER COUNTY OF LANCASTER COUNTY OF LANCASTER ONCASTER COUNTY OF LANCASTER COUNTY OF LANCASTER COUNTY OF LANCASTER ONCASTER COUNTY OF LANCASTER COUNTY OF LANCASTER COUNTY OF LANCASTER ONCASTER COUNTY OF LANCASTER COUN

TO: Corbin Eisenmenger, an Investigator with the Lincoln Police Department, Lancaster County, Nebraska, and any and all law enforcement officers.

WHEREAS, Corbin Eisenmenger 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 4230 W St, Lincoln, Lancaster County, Nebraska which is described as a one-story home on the north side of W St between N 42<sup>nd</sup> St and N 44<sup>th</sup> St. The numbers 4230 are present on the front face of the house to the left of the front door. You are additionally commanded to search the black 2014 model year Ford Focus assigned vehicle identification number 1FADP3F29EL334045 and assigned Nebraska license plate number YYR680.

Law enforcement is authorized to the following items:

- Photographs, video recordings, audio recordings
- Measurements
- Proof of occupancy
- Child safety seat(s)
- Bulb syringe(s)
- Saline solution

Your Affiant is authorized to measure, photograph, video tape, and seize the aforementioned items and may access any locked room or container which reasonable force may be used to enter.

This search warrant shall be executed and returned within ten (10) days to a Clerk of the Lancaster District Court, Nebraska.

Given under my hand and seal this 1 day of June, 2024.

Judge of the County Court

Printed Name of Judg

Corbin Eisenmenger, being first duly sworn upon oath deposes and states that he is an Investigator for the Lincoln Police Department, Lancaster County, Nebraska. AFFIANT further states he is currently involved in the investigation of Felony Child Abuse 28-707(1)(a)(7), a class II felony, occurring on or about March 1, 2024 at 4230 W 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:

### Facts:

On March 3, 2024 Lieutenant Goodwin #1439 of the Lincoln Police Department took the report of a belated child abuse. According to his incident report he had learned Officer Hoffman of the Omaha Police Department had been dispatched to Children's Hospital in reference to significant injuries to a child.

The child victim to be hereinafter referred to as B.H. (0 year old female) presented with breathing difficulties and was later found to have suffered several bruises, broken ribs, and a skull fracture. Affiant later learned from the attending medical personnel at Children's Hospital that B.H. had suffered bruising which was abnormal for a child only approximately two months old. This included bruising near her sternum, on her lower back, near her knee, and her left ear. There was a total of seven healing rib fractures, and a left parietal skull fracture. Medical personnel reported tests conducted with B.H. did not yield any results which would suggest she had a higher likelihood of suffering bruising or broken bones than another child. The cause of the skull fracture was reported to have been the result of an unknown blunt force trauma. The force or mechanism of the trauma could not be determined from only B.H.'s examination. Medical personnel found this injury extremely concerning especially due to the repeated reports from B.H.'s parents stating there was no history of B.H. having suffered a fall.

On March 8, 2024 Affiant conducted a voluntary interview with B.H.'s father, Robert Herbert (DOB August 18, 1989). Robert reported he and B.H's mother, Jamy Dietz (DOB June 7, 1994), were the only two people to care for B.H. since her birth. He denied B.H. had suffered any falls such as from a bed or changing table. He explained he believed B.H. had suffered the rib fractures from either having been stepped on by their Siberian Husky or him having swaddled her too tight. He demonstrated, with a doll, having applied significant pressure to B.H. after he laid her on her side while wrapping her in a blanket. He also reported he had assisted B.H. when she seemed to have difficulty defecating. He again demonstrated lifting B.H.'s legs towards her stomach or torso before he squeezed her legs and torso together in an attempt to help her defecate or "pass gas". Robert made mention he had possibly squeezed B.H. too tight when doing this.

Robert also reported an incident approximately two weeks prior to the interview in which he was dismantling their child safety seat to clean it. While pulling on a piece of the cover to remove it from the seat, the cover suddenly came loose from the seat. Robert reported he accidentally struck B.H. in the head with the seat after the cover gave way as he was standing near or over B.H. while she was being held by Jamy. He stated B.H. had cried briefly and he did not see any visible injury.

Robert reported during the day of March 2, 2024, B.H. seemed to have congestion in her nose and mouth. He attempted to use a "booger sucker" to remove the cause of the congestion. He reported he was successful in removing a significant amount of congestion and had also used the "booger sucker" to blow air into her nose in hopes of forcing the congestion through her nasal passage into her mouth so it could be either removed or swallowed. He reported he had additionally attempted to use some saline solution to relieve the congestion. During this time, he found B.H. had appeared to stop breathing and her face was turning blue. He alerted Jamy and they transported her to Bryan East Hospital at 1600 S 48th St before she was ultimately transferred to Children's Hospital in Omaha, Nebraska.

During Robert's interview Jamy was simultaneously interviewed by Investigator Belleci #1899. Jamy described how Robert would bring B.H.'s legs up to her chest area and hold her whole body and then squeeze her to help her poop. She ultimately reported she had seen Robert put B.H. in this position and squeeze B.H. to the point his arms were shaking. She reported Friday, March 1, 2024, was when Robert had struck B.H. in the head with the child safety seat. She stated it

appeared he had deliberately struck B.H. out of frustration. Jamy reported that on March 2, 2024, the day they went to the emergency room with B.H. because she was having difficulty breathing, Robert had been forcing water into B.H.'s nose trying to clear her congestion until she began to choke and turned blue in the face.

Affiant consulted with medical staff of Children's Hospital following B.H.'s care and the interviews conducted with B.H.'s parents. They concluded the history initially provided by the parents were not reasonable explanations for the injuries observed on B.H.. The medical staff also concluded that the principal problem for B.H. was "non-accidental traumatic injury". They expressed the mechanisms later described by Jamy during her interview with Investigator Belleci could reasonably explain B.H.'s injuries. The incidents described by both Robert and Jamy as what caused B.H. injury and medical distress all took place within the basement residence of 4230 W St, Lincoln, Nebraska.

Jamy and Robert utilized a black 2014 Ford Focus with vehicle identification number 1FADP3F29EL334045 and assigned Nebraska license plate number YYR680 for transportation. This vehicle was observed on surveillance video from Bryan East Campus to be the vehicle they utilized to transport B.H. to the hospital.

The above does constitute grounds of probable cause for the issuance of a Search Warrant for 4230 W St, Lincoln, Lancaster County, Nebraska which is described as a one-story home on the north side of W St between N 42<sup>nd</sup> St and N 44<sup>th</sup> St. The numbers 4230 are present on the front face of the house to the left of the front door, as well as the black 2014 model year Ford Focus assigned vehicle identification number 1FADP3F29EL334045 and assigned Nebraska license plate number YYR680 for the following items:

- Photographs, video recordings, audio recordings
- Measurements
- Proof of occupancy
- Child safety seat(s)
- Bulb syringe(s)
- Saline solution

Your AFFIANT is authorized to measure, photograph, video tape and seize the aforementioned items and may access any locked room or container which reasonable force may be used to enter.

Further AFFIANT saith not;

Dated this 17 day of June, 2024.
Investigator Corbin Eisenmenger #1813 AFFIANT
SUBSCRIBED to in my presence and sworn to before me this
Judge of the County Gourt
Laure Jurdy
Printed Name of Judge