

LPD Case Number: C4-032059

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

CR24-1  
SEARCH WARRANT RETURN

STATE OF NEBRASKA     )  
  )  
COUNTY OF LANCASTER )     ss.

The undersigned states that he received the Search Warrant issued herein on the 5th day of May, 2024, and that he executed the same on the 17th 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 D. Weinmaster #883*  
Corey Weinmaster #883

SUBSCRIBED to in my presence and sworn to before me this 21<sup>st</sup> day of May, 2024.

*Crystal J. Buhrmann*  
Notary Public



LANCASTER COUNTY  
2024 MAY 21 PM 3:11  
CLERK OF THE  
DISTRICT COURT

Warrant Return & Inventory



002181764D02

215

*CB*



**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 10<sup>th</sup> Street, Lincoln, Lancaster County, Nebraska.

Google Pixel under LPD Property Q2409300

- No Data Obtained

LANCASTER COUNTY  
2024 MAY 21 PM 3:11  
CLERK OF THE  
DISTRICT COURT

Date 5/17/24

Cory P. Menaite #883  
Law Enforcement Officer

Witness [Signature] 1551

IN THE COUNTY OF LANCASTER COUNTY, NEBRASKA

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

LANCASTER COUNTY  
2024 MAY 21 PM 3:11  
CLERK OF THE DISTRICT COURT

TO: Ben Pflanz, a certified law enforcement officer with the Lincoln Police Department, Lancaster County, Nebraska, any and all law enforcement officers, or others as needed by law enforcement.

WHEREAS, Ben Pflanz 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 pursuant to Neb. Rev. Stat. §29-814.04.

THEREFORE, you are commanded to search and seize the items as described below.

**Property to be Searched and Seized**

- **Google smartphone**, to include any digital storage device within, in the possession of the Lincoln Police Department located in Lincoln, Lancaster County, Nebraska, labeled with:
  - Property Number: **Q2409300**
  - Case Number **C4-032059**

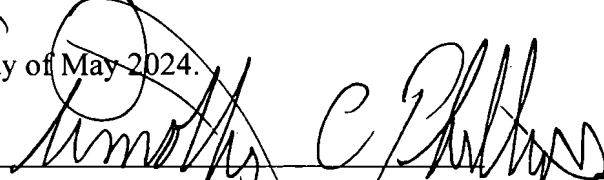
and seize the following evidence, to include any live and/or deleted data:

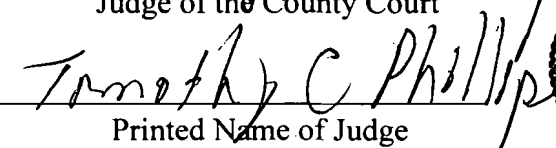
1. Device identifiers, information, and configurations.
2. User account information and any associated accounts on the device.
3. Databases and file systems.
4. Device activity logs and application usage logs.
5. Call logs.
6. Contact lists.
7. Short Message Service (SMS), Multimedia Messaging Service (MMS) messages and instant messages.
8. Chat messages from installed applications.
9. Email messages.
10. Installed applications and their corresponding accounts and data.
11. Images and associated metadata.
12. Videos and associated metadata.


13. Audio files, including voicemails, and associated metadata.
14. Document files and associated metadata.
15. Internet browsing history, including bookmarks, searches, browser cookies and other associated cache files.
16. Location information to include cellular tower connections, GPS (Global Positioning System) fixes, waypoints, routes, tracks, maps, and associated metadata.
17. Wireless networks, Bluetooth, Internet protocol (IP) addresses, and synchronization connection history.
18. Memos and notes (typed and voice).
19. User dictionary.
20. Calendar information.
21. Passwords, keychains.

This Search Warrant shall be executed and returned within ten (10) days to the Clerk of the Lancaster District Court, Nebraska. In the event the search and/or seizure is not complete within ten (10) days, law enforcement is authorized to return the search warrant within ten (10) days upon completion of the search and seizure.

Given under my hand and seal this 10<sup>th</sup> day of May 2024.

  
\_\_\_\_\_  
Judge of the County Court

  
\_\_\_\_\_  
Printed Name of Judge



IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

LANCASTER COUNTY  
2024 MAY 21 PM 3:11  
CLERK OF THE  
DISTRICT COURT

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

Ben Pflanz, a certified law enforcement officer for the Lincoln Police Department, being first duly sworn upon oath deposes and states that your Affiant is currently involved in the investigation of Sexual Assault; Use of Electronic Communication Device, 28-320.02, occurring in Lincoln, Lancaster County, Nebraska.

**Affiant's Background**

Affiant has been a law enforcement officer since 2009. Affiant has received basic academy training and additional training through the ~~SELECT AN AGENCY~~. Affiant has experience in conducting criminal investigations including misdemeanor and felony offenses. Affiant has additional training and experience in conducting cases involving the sexual exploitation of minors, human trafficking and child pornography.

*Lincoln  
Police  
Department*

This Affidavit is being submitted for the limited purpose of securing a search warrant. Affiant has not set forth every fact known regarding this investigation. The facts contained in this Affidavit are based in part on the investigation that Affiant has conducted or information provided to Affiant by other law enforcement officers.

**Case Facts**

On Monday April 15, 2024 Affiant was contacted by an Investigator Michael Evans of the Okaloosa County Sheriff's office in Okaloosa County, Florida. Investigator Evans conducted an investigation involving the sexual exploitation of minors. Law enforcement in Florida pretended to be a 13-year-old child on the social media platform of Kik. Law enforcement was then contacted by a Kik account named 'IvoryJazzMan'. This conversation began in October 2023. The account featured a profile image of an older white male. The account then solicited sex with the decoy. Through the course of the investigation Investigator Evans identified the suspect as David Pearson a resident of Lincoln, Lancaster County, Nebraska. Investigator Evans obtained two email accounts and phone number associated with Pearson. Investigator Evans requested Your Affiant to interview Pearson and verify he owned the email accounts, phone number and Kik account. Affiant states Kik is a messaging application that can be installed on cellphones.

Your Affiant compared the profile photograph of the Kik account to Pearson's DMV photograph and found they were visually similar. Your Affiant also located a

Facebook account with the name 'David Pearson' that contained the same profile image as the Kik account that was communicating with law enforcement. Pearson also put on his Facebook page that he studied Computer Information Technology at Southeast Community College in Lincoln.

At a later date Investigator Evans provided screenshots of the conversation with Pearson. Affiant reviewed the messages and found Pearson solicited the decoy to have sex. Pearson told law enforcement he often imagined having sex with minors. As an example of the conversation Pearson told the decoy: "Still thinking about coming to your room every night..... To 'help you with homework' but really fucking you". Later in the conversation he said he wished he had the money to visit and wished the decoy could visit him in Nebraska. Also during the conversation Pearson asks if the decoy has Discord so they could "Play online". When the decoy responds they "don't send pics like that", Pearson responds "Makes sense....it is illegal after all". Affiant states Discord is a social media/messaging application that also allows users to exchange videos and images.

On Friday May 10, 2024 Your Affiant met with Pearson at his home of 2236 S. 10<sup>th</sup> Street, Lincoln, Lancaster County, Nebraska and interviewed him. During the interview Pearson acknowledged he owned the email accounts, phone number and Kik account that Investigator Evans had provided. He further acknowledged the Facebook account was his and the profile image was of him. Your Affiant asked to speak with Pearson inside his home and he obliged. Pearson was shown several excerpts from the conversation. Pearson admitted to sending the messages but characterized the conversation as role play and fantasy. Pearson said he had several other similar conversations on his phone with other people saying they were minors. Pearson said he had no intention of ever meeting the child and said he didn't believe she was a child. Pearson admitted he has fantasized about having sex with children. Your Affiant observed a cell phone sitting on a small table. The phone was open and was within Pearson's reach. Pearson acknowledged he owned the phone but declined to allow Your Affiant to look at the phone. Pearson acknowledged he had several similar conversations on his phone. He denied possessing any sexually explicit images. Pearson works in retail but was enrolled in computer science classes at Southeast Community College and Affiant observed related textbooks sitting in the open and several computers. Affiant seized Pearson's cell phone. The cell phone was found to be a Google smartphone. Pearson asked that he be allowed to lock his cell phone to which Affiant declined. The cell phone was later turned over the Lincoln Police Department's Electronic Evidence Unit to preserve evidence.

Affiant believes this cell phone contains evidence related to the offenses of Sexual Assault; Use of Electronic Communication Device (28-320.02), Enticement by Electronic Communication device (28-833), Sex Trafficking of a Minor (28-831) and/or the Child Pornography Prevention Act (28-1463). Affiant states above facts demonstrate Pearson utilized a variety of cell phone applications to communicate with others including minor children. He also solicited sexually explicit images. Pearson also appears to have an elevated technical background that would allow him to easily mask or otherwise hide evidence on his digital device.

### **Background on Digital Devices**

Evidence of the crime(s) described in this Affidavit could be contained in any type of digital device. The terms “digital device” and “device” include all devices capable of capturing and/or storing digital data, such as computers, cellular telephones, tablets, game consoles, video surveillance equipment, cameras, modems, routers, external memory drives or thumb drives, GPS navigation devices. As explained herein, information stored in a digital device may provide crucial evidence of the “who, what, why, when, where, and how” of the criminal conduct under investigation. Forensic experts, and others with experience, in retrieving and analyzing digital data have established the following:

Digital device data can indicate who has used or controlled the digital device. This “user attribution” evidence is analogous to the search for “indicia of occupancy” while executing a search warrant at a residence.

Digital data can be found in numerous locations and formats. Evidence can be embedded into masked files for the type of evidence, such as a photograph included in a document or converted into a PDF file or other format in an effort to conceal the existence of the photograph. Files on digital devices can be stored with deceptive file names, hidden from normal view, and/or encrypted or password protected. Digital data can also be stored on devices that would be unusual for the type digital data to be stored, such as a photograph on a game console. Digital devices can also reveal clues to other locations where evidence may be found. Digital data recovered from a digital device could be used to refute or corroborate data recovered from other devices or information obtained from a service provider.

On digital devices, digital data can be created in a matter of moments because most operations can be performed almost instantly, which would be relevant to the incident being investigated. The data can be created intentionally or accidentally by the user, or automatically by the digital device as a part of its regular functioning. Through the normal operation of a digital device, it logs location data, user interactions, location data, passwords, keychains, notifications, wireless connections and stores this information in databases and/or file systems.

Data data can easily be manipulated and moved by the user. It can be transferred from one device to another; from one location within the digital device to another; hidden or encoded. This is akin to a file being removed from a filing cabinet and placed in a safe. Digital data can also be manipulated, mislabeled, and/or altered.



This includes the creation date of digital data, such as a photograph. It is difficult to know at this time the level of technical ability of the digital device user(s) and/or where the digital device may automatically store the digital data. Thus, it would be difficult for law enforcement to place a time or place limit on its search. It may be necessary to examine every digital file whether the evidence may be stored, and scan its contents briefly to determine whether it falls within the scope of the requested search warrant.

Digital device applications, commonly known as “apps”, frequently require passwords, phrases, codes, patterns, fingerprints, and/or usernames to operate. Those may be kept inside a device/media, or outside in some other area known to the user. Investigators may need to search the digital device for this information to access the application.

If items the requested items to be searched and seized are not isolated and seized from network connectivity in a timely manner; evidence may be destroyed, transferred, encrypted, modified, or otherwise lost forever.

In order to successfully complete an examination, it may be necessary to repair or replace components, or utilize potentially destructive methods.

Law enforcement may need to enlist the aid of non-law enforcement who are trained in conducting forensic analysis of the digital data in retrieving and analyzing the digital data.

### **Property to be Searched and Seized**

Affiant requests the court issue a search warrant to search:

- **Google smartphone**, to include any digital storage device within, in the possession of the Lincoln Police Department located in Lincoln, Lancaster County, Nebraska, labeled with:
  - Property Number: **Q2409300**
  - Case Number: **C4-032059**

and seize the following evidence, to include any live and/or deleted data:

1. Device identifiers, information, and configurations.
2. User account information and any associated accounts on the device.
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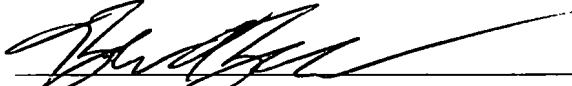
Your Affiant is unaware of the technical ability of the digital device user(s) and/or where the digital device may automatically store the digital data. Your Affiant is unable to place a time or place limit on its search. It may be necessary to examine every digital file whether the evidence may be stored, and scan its contents briefly to determine whether it falls within the scope of the requested search warrant.

Your Affiant requests authorization to utilize the least destructive means to analyze the device before using more potentially destructive methods.

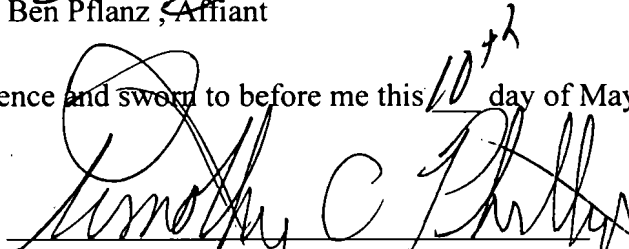
The search of digital device(s) is a lengthy process requiring special steps to ensure the integrity of the digital device(s). In the event the search and/or seizure of evidence is not completed within ten (10) days, Affiant requests authorization to return the search warrant within ten (10) days of upon completion of the search and seizure.

Further Affiant sayeth not.

Dated this 10 day of May 2024.

  
\_\_\_\_\_  
Ben Pflanz, Affiant

SUBSCRIBED to in my presence and sworn to before me this 10<sup>th</sup> day of May  
2024.

  
\_\_\_\_\_  
Judge of the County Court

Timothy C Phillips  
Printed Name of Judge

