

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

CR24-1

IN THE MATTER OF THE )  
INVENTORY OF IDENTIFYING )  
CHARACTERISTICS FROM )  
KAEYDAN GONZALES )  
DOB 12-16-2007 )

RETURN ON ORDER TO  
PRODUCE IDENTIFYING  
PHYSICAL  
CHARACTERISTICS  
EVIDENCE

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 17 day of May, 2024 and that he/she did execute the same on the 22 day of May, 2024 by obtaining the evidence described, to-wit:

-2 BUCCAL SWABS FOR DNA

DATED this 22 day of May, 2024.

*[Handwritten Signature]* #1700  
\_\_\_\_\_  
Joe Villamonte #1700

SUBSCRIBED AND SWORN to before me this 22 day of May, 2024.

*[Handwritten Signature]*  
\_\_\_\_\_  
Notary Public

LANCASTER COUNTY

2024 MAY 23 PH 3:01

CLERK OF THE  
DISTRICT COURT



C4-035447



002181768D02

223

*[Handwritten Initials]*

LANCASTER COUNTY

2024 MAY 23 PM 3:01

CLERK OF THE DISTRICT COURT

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

STATE OF NEBRASKA,  
PLAINTIFF,

VS.

KAEYDAN GONZALES,  
DOB 12-16-2007

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 POSSESS STOLEN FIREARM - 28-1212. is the subject of said Affidavit referred to above.
2. That there is probable cause to believe that the offense of POSSESS STOLEN FIREARM - 28-1212. has been committed.
3. That there is probable cause to believe that KAEYDAN GONZALES committed said offense.
4. That Identifying Physical Characteristics Sought is DNA buccal swabs.
5. That KAEYDAN GONZALES has refused, or there is reason to believe that KAEYDAN GONZALES will refuse, to voluntarily provide the identifying physical characteristics sought.
6. That KAEYDAN GONZALES is the individual who may be detained for obtaining such identifying physical characteristics.
7. That Joe Villamonte or other law enforcement officers are authorized to obtain such identifying physical characteristics and to effectuate any detention which may be necessary to obtain the same.
8. That KAEYDAN GONZALES 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 the city of Lincoln, Lancaster County, Nebraska.
  10. That KAEYDAN GONZALES shall appear in the city of Lincoln, Lancaster County, Nebraska, at such date and time as is designated by law enforcement for the purpose of obtaining the above-mentioned identifying physical characteristics.
  11. That if KAEYDAN GONZALES fails to comply with the request of said law enforcement, the said KAEYDAN GONZALES shall be guilty of contempt of court and be punished accordingly.
  12. That KAEYDAN GONZALES shall be required to stay no longer than one (1) hour for the purpose of law enforcement 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 KAEYDAN GONZALES.
  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 KAEYDAN GONZALES 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 17<sup>th</sup> day of May,  
2024

BY THE COURT  
Timothy C Phillips  
JUDGE OF THE COUNTY COURT  
Timothy C Phillips  
PRINTED NAME OF JUDGE



LANCASTER COUNTY  
2024 MAY 23 PM 3:01  
CLERK OF THE  
DISTRICT COURT

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

STATE OF NEBRASKA,  
PLAINTIFF,  
VS.  
KAEYDAN GONZALES,  
DOB 12-16-2007

AFFIDAVIT FOR  
ORDER TO PRODUCE IDENTIFYING  
PHYSICAL CHARACTERISTICS

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 POSSESS STOLEN FIREARM - 28-1212.03 that occurred at 6900 Block of Rexford Drive in Lincoln, Lancaster County, Nebraska.

2. Your AFFIANT has reviewed reports of other peace officers involved in the investigation of POSSESS STOLEN FIREARM - 28-1212.03 and has conducted additional follow up into the investigation of the incident. According to the information that your AFFIANT obtained:

On 04-26-2024 at approximately 1345 hours, Lincoln Police Investigator Villamonte #1700, your Affiant, observed a black Toyota Camry with Nebraska license plates 'YYP456' travelling east on Arapahoe Street approaching South 13th Street. Your Affiant observed the front passenger as your Affiant was driving west on Arapahoe and thought that the passenger resembled Kaeylab Gonzales, who has active warrants for his arrest. Your Affiant radioed Lincoln Police Investigators Lind #1638, Investigator Meyer #1716, and Sergeant Sorensen #1540 with what was observed and decided to follow the vehicle to determine if Kaeylab was in fact in the front passenger seat. Your Affiant also observed the driver of the vehicle and suspected it to be Cindy Nguyen by conducting research on Lincoln Police records management system regarding who owned the vehicle. Your Affiant followed the vehicle until the driver pulled over facing east in front of 6903 Rexford Drive.

While your Affiant was following the vehicle, your Affiant was giving updates to other investigators, but your Affiant was not able to drive up alongside of the passenger side of the vehicle to confirm the passenger's identity due to traffic and the driver's lane changes. The vehicle sat stationary for approximately 45 seconds, and no one exited. Your Affiant pulled behind the vehicle in an unmarked police vehicle and did not turn on any lights or sirens. Your Affiant exited his vehicle wearing a vest marked 'police' with a police badge on it. Your Affiant walked to the driver's side window and contacted Nguyen in the front driver seat. Nguyen rolled the window down. Kaeydan Gonzales (later identified) almost immediately recognized your Affiant from past investigations as your Affiant has arrested him in possession of a deface firearm and contacted Kaeydan during a narcotic investigation at Kaeylab's apartment. It should be noted that Kaeydan and Kaeylab are brothers. Your Affiant immediately noted the strong odor of burnt marijuana coming from within the vehicle. Your Affiant called Kaeydan 'Kaeylab' as your Affiant still was not 100 percent sure it was not Kaeylab and Kaeydan immediately stated he was 'Kaeydan'.

Your Affiant asked Kaeydan to step out of the vehicle due to the odor of marijuana and your Affiant noticed Kaeydan was wearing a satchel type bag around his neck on the front of his body. Investigator Lind and Meyer had arrived on scene and began ordering Kaeydan out of the vehicle. Kaeydan reluctantly complied and took the satchel bag off his person to exit the vehicle. Investigator Meyer also told your Affiant he observed Kaeydan trying to conceal evidence while exiting the vehicle and he was detained in handcuffs. The item Kaeydan was attempting to conceal was found to be a bag of marijuana weighing 20.1 grams. Nguyen exited the vehicle upon request and gave consent for investigators to search the car. Investigator Meyer located a polymer 80 9mm 'ghost gun' loaded with an extended magazine and a Glock 43 9mm handgun loaded with a drum style magazine in the satchel Kaeydan was wearing. Nguyen was then detained when firearms were located in the vehicle.

Your Affiant searched the driver's side of the vehicle and located a backpack in the rear driver's side area of the vehicle. Your Affiant located a bag of marijuana weighing 23.3 grams, two THC cartridges, and several unknown gummy items in the backpack. Your Affiant also located a hooded sweatshirt and a T shirt in the bag that appeared to be male clothing.

Nguyen was eventually released from handcuffs and while investigators were waiting for a cruiser to transport Kaeydan, your Affiant asked her about the items located in her vehicle. Nguyen stated that Kaeydan brought the satchel and the backpack in her vehicle when she picked him up and she did not know there was any firearms in the bag. Nguyen denied ownership of anything illegal located. Nguyen was cooperative during the contact and released from the contact once Kaeydan was placed in an LPD marked cruiser.

Your Affiant conducted a criminal history check for Kaeydan and found he had a juvenile felony adjudication for possession of a defaced firearm from 03-08-2023, where a judge advised he could not be in possession of firearms.

Investigators conducted a check of the serial number of the firearms and found the 9MM Glock 43 (S/N BZWP942) to be stolen in a larceny from auto from a deputy sheriff documented under LPD case C4-004529.

Kaeydan declined an interview and declined to a voluntary DNA sample. Kaeydan was referred and lodged at the Youth Attention Center per Juvenile Probation and Sergeant Sorensen.

3. Your AFFIANT knows that buccal DNA swabs are a way of producing non-testimonial identification evidence regarding the person responsible for the POSSESS STOLEN FIREARM - 28-1212.03 described herein. The identifying physical characteristics sought from Kaeydan Gonzales 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 Kaeydan Gonzales as being the person responsible for the POSSESS STOLEN FIREARM - 28-1212.03 herein.

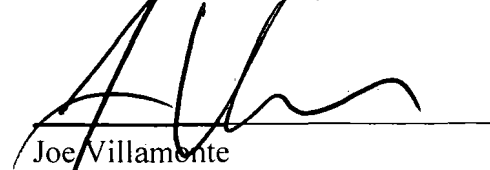
The identifying physical characteristics sought can be obtained from Kaeydan Gonzales in the city of Lincoln, Lancaster County, Nebraska and should require a detention not to exceed one (1) hour.

AFFIANT further states that there is probable cause to believe that Kaeydan Gonzales is responsible for POSSESS STOLEN FIREARM - 28-1212.03 as described herein, and in violation of the laws of the State of Nebraska.

4. Your AFFIANT has been advised by Kaeydan Gonzales that he would not voluntarily provide a DNA sample via buccal swabs.

Further your affiant saith not.

DATED this 17<sup>th</sup> day of May, 2024.

  
\_\_\_\_\_

Joe Villamonte

SUBSCRIBED AND SWORN to before me this 17<sup>th</sup> day of May,  
2024

  
\_\_\_\_\_

JUDGE OF THE COUNTY COURT

Timothy C Phillips  
PRINTED NAME OF JUDGE

