

LPD Case Number: C3-112889

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.

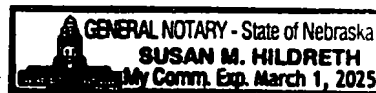
The undersigned states that he received the Search Warrant issued herein on the 16th day of May, 2024, and that he executed the same on the 23rd day of May, 2024, by seizing the property described in the Inventory filed herein and by delivering a copy of the Search Warrant for the said property at the place from which the property is taken.

Corey L. Weinmaster #883
Corey L. Weinmaster #883

SUBSCRIBED to in my presence and sworn to before me this 23rd day of May, 2024.

Susan M. Hildreth
Notary Public

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



227

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

iPhone 11 under LPD Property Q2328224

- Call Log - 3
- Chats - 10
- Contacts - 7
- Device Events - 3
- Passwords - 27
- Searched Items - 1
- SIM Data - 9
- Social Media - 107
- Wireless Networks - 6
- Timeline - 734
- Audio - 3
- Images - 91
- Videos - 29

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

Inventory made in the presence of Derek Dittman #1551.

Corey L. Weinmaster #883
Corey L. Weinmaster #883

SUBSCRIBED to in my presence and sworn to before me this 23rd day of
May, 2024.

Susan M. Hildreth
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.

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LANCASTER COUNTY
2024 MAY 23 PM 3:02
CLERK OF THE
DISTRICT COURT

Date 5/23/24

Cory E. Kawasch #883
Law Enforcement Officer

Witness [Signature]

ATTACHMENT A: Property to Be Searched

Law enforcement and those assisting law enforcement is directed to seize and search the following:

- **Red Apple iPhone with tan, black, and gold Kate Spade case**, to include any digital device within, located in the Lincoln Police Property & Evidence Unit at 575 South 10th Street, Lincoln, Lancaster County, Nebraska, labeled with Property Number **Q2328224** and Case Number **C3-112889**.

for the following evidence, to include any live and/or deleted data for the time frame of December 19, 2023 12:01 a.m. CST to December 21, 2023 at 23:59 p.m. CST, specifically for the seizure of following items:

1. Device identifiers, information and configurations.
2. User account information and any associated accounts on the device.
3. Call logs.
4. Contact lists.
5. Short Message Service (SMS), Multimedia Messaging Service (MMS) messages and instant messages.
6. Chat messages from installed applications.
7. Email messages.
8. Installed applications and their corresponding accounts and data.
9. Images and associated metadata.
10. Videos and associated metadata.
11. Audio files, including voicemails, and associated metadata.
12. Document files and associated metadata.
13. Internet browsing history including bookmarks, searches, browser cookies and other associated cache files.
14. Location data to include cellular tower connections, GPS (Global Positioning System) fixes, waypoints, routes, tracks, maps, and associated metadata.
15. Wireless networks, Bluetooth, IP addresses, and synchronization connection history.
16. Memos and notes (typed and voice).
17. User dictionary.
18. Calendar information.
19. Passwords, keychains.
20. Databases and file systems.
21. Device activity logs and application usage logs
22. Photographs of the device and any related information or data for this search warrant.

In order to obtain and search the data from the aforementioned device, law enforcement and/or those assisting may:

1. Obtain data from the physical memory of the device itself as well as from any data storage devices housed within the device, specifically Secure Digital (SD) and Subscriber Identification Module (SIM) cards;
2. Obtain data from the aforementioned cellular telephone's active file system, as well as unallocated space as to recover deleted data and file fragments;
3. Obtain data by making unobtrusive revocable setting changes to permit the digital extraction of the data unless the cellular telephone requires disassembly to obtain the desired data which may render the device inoperable;
4. Copy, forensically image, view, photograph, record, and/or conduct forensic analysis of the data obtained;
5. Enlist the aid of non-law enforcement, who are trained in conducting forensic analysis of the data in retrieving and analyzing the data. When files have been deleted, they can be potentially recovered later using forensic tools. A person with familiarity with how cellphones work may, after examining the data, be able to draw conclusions about how the device was used, the purpose of its use, who used it, where, and when; and/or
6. Be required to examine every file and scan its contents briefly to determine whether it falls within the scope of the warrant. This is necessary as it is difficult to know prior to the search the level of technical ability of the device's user and data can be hidden, moved, encoded or mislabeled to evade detection.

ATTACHMENT B: Technical Information Regarding the Search of Digital Devices

Through your Affiant's training and past experience, and from information provided by Electronic Evidence Unit forensic examiners, your Affiant is aware that:

Digital device data can provide valuable insight for criminal investigations. Digital devices are used by the general public for communication, access to and sharing of information, research, socialization, entertainment, mapping, shopping, note taking and other functionality. Individuals also use digital devices for the aforementioned purposes, and as a tool for facilitating criminal activity.

Digital devices are often used to communicate via voice, text messaging, social media or other communication applications; and share data with other users and that such digital data can be transferred between various digital devices. Information associated with such data may show evidence of current, on-going, future, and past criminal activity as well as assist law enforcement in determining identity and culpability of participants, including identifying those with knowledge of a criminal offense or identify those who have aided a criminal participant in the commission of a criminal offense, victims and/or witnesses. As such, digital devices possessed by criminal participants can serve both as an instrument for committing crime as well as a storage medium for evidence of the crime, including communications to plan, execute, and otherwise document the commission of a crime.

There have been numerous instances where criminal participants utilized digital devices to photograph themselves, associates and/or co-conspirators, and victims; instances in which digital devices were used by criminal participants to create videos of their criminal activity; instances where criminals participants have used digital devices' internet applications to research crimes they have or intend to participate in; instances in which criminal participants have maintained notes within digital devices; and instances in which criminal participants used global positioning, mapping and other location services to facilitate in-person meetings with co-conspirators and/or a victim.

On a digital device, 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 device itself as a part of its regular functioning.

Electronic evidence can remain on the digital devices for indefinite periods of time after the data was created, even if deleted by the user. Data generally is stored on the physical memory of the digital device, but also can be stored on removable storage devices such as Secure Digital (SD) and Subscriber Identification Module (SIM) cards. A forensic examiner may be able to recover information deleted by the user throughout the working life span of the device.

The following are examples of how types of data on digital devices can assist investigators. A full, all-inclusive list would be impossible due to the ever-increasing development of digital devices and their applications:

1. Phone information, configurations, calendar events, notes and user account information which can be used to identify or confirm who owns or was using a digital device. Because of their small size, digital devices can easily be passed from one person. As such it is necessary to document evidence that reveals or suggests who possessed or used the device. This evidence is akin to the search for venue items when executing a search warrant at a residence.
2. Call logs can establish familiarity between people involved in an incident. These records are consistently stamped with dates and times which can be significant regarding the reconstruction of the timeline of events regarding an investigation. Associated contact lists stored in the device can provide names to correspond with voice calls as well as other forms of communication. Voicemails can indicate the purpose of the phone call when the phone call was not answered. This information can also be invaluable to establish conspirators, witnesses, and suspect information.
3. Data from associated supplemental software applications (apps), both standard and manually installed, stored on the digital devices can demonstrate the user's association with investigated people, locations, and events. Digital devices can run apps which allow them to increase their functionality. Common programs include social media applications, such as Facebook, as well as messaging applications Snapchat and Facebook Messenger to name a few. These applications are increasingly used as alternative methods for users to communicate from the standard messaging service as they offer additional functionality. Many of these applications can determine the user's geographic location which can be instrumental to completing an investigation.
4. Media files such as images, videos, audio, and documents provide first-hand documentation of actions regarding an event. Additionally, files can contain embedded metadata that show additional information which is valuable to investigators such as when and where the file was created. Digital devices can create, store and exchange media with other devices and computers.

Your Affiant seeks to complete a comprehensive and unbiased examination of the data on the device for information which could aid in the investigation; seeking only prescribed information would jeopardize the completeness of the search as it is typically unknown how the electronic device was used or the technical ability and intent of the user before the device has been examined. 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 search 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 that digital devices are constantly changing system data on the device as programmed by their manufacturer. Additionally, your Affiant knows that searching the digital device itself would irreversibly alter data and/or evidence on the device. To search a device for evidence, the commonly accepted best practice of digital forensics is to utilize forensic software to obtain an extraction of the data on the device. Attempts will be made to obtain the devices data by only making unobtrusive revocable changes to the system settings to permit the extraction of the data. If necessary, the digital device may require disassembly to obtain the desired data which may render the device inoperable. These processes do not change or alter any of the user data stored on the device. The extraction is then searched using analysis software to locate, identify, and seize the evidence authorized by this warrant. The device and the image are then preserved in evidence.

The digital device has been stored in a manner in which its/their contents are, to the extent material to this investigation, substantially the same state as when it first came into the possession of law enforcement.

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

LANCASTER COUNTY

2024 MAY 23 PM 3:02

CLERK OF THE DISTRICT COURT

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

Patrick Sullivan, being first duly sworn upon oath deposes and states, that he is an Investigator for the Lincoln Police Department, Lincoln, Lancaster County, Nebraska. Your Affiant is currently involved in the investigation of a Leaving the Scene of Injury Accident 60-697(F) and Possess Controlled Substance 28-416(3) (F4), occurring at the intersection of 27th and Kensington Dr., Lincoln, Lancaster County Nebraska.

Attachments

- Attachment A: RED IPHONE TAN/GOLD/BLACK KATE SPADE CASE
- Attachment B: Technical Information Regarding the Search of Digital Devices.

The above are hereby attached and incorporated by reference.

Affiant's Background

Your Affiant has been a police officer for the Lincoln Police Department since 2017. Your Affiant has training and experience in conducting criminal investigations.

This Affidavit is submitted in support of a search warrant. Your Affiant may not have set forth every fact known to your Affiant regarding this investigation. The information contained in this Affidavit is from your Affiant's investigation and may include information provided by other law enforcement or others.

Case Facts

On December 20, 2023, at 11:22 P.M., Officer David Toft #1830 with the Lincoln Police Department was dispatched to the intersection of 27th and Kensington Drive on an injury accident that had just occurred. Officer Toft received additional details from dispatch on the way to this location indicating the occupant(s) of one of the vehicles had fled from the scene of the accident. Ashley Cobb, the other involved driver, reported the other vehicle involved was a red Dodge Challenger with Nebraska license plate AKF971. Officer Toft ran this plate in the Lincoln Police Department Records Management System. Officer Toft found this vehicle to be a Red 2023 Dodge Challenger (VIN: 2C3CDZJG2PH606119) registered to Easy Car Leasing LLC at 1755 E Locust St

Omaha, Nebraska and not to a specific person. Officer Toft later learned Easy Car Leasing LLC is affiliated with Budget Rental Car. Further information from dispatch indicated the one of the suspects was a female and had run northbound from the accident scene.

Prior to Officer Toft's arrival to the scene of the accident several other police officers approached the scene to look for the fleeing occupant(s). The area was searched extensively, and nobody was located. Upon arrival, Officer Toft observed a black Chevrolet Impala with extensive rear end damage belonging to Cobb just south of the intersection. There was a Lincoln Fire and Rescue ambulance behind Cobb's vehicle. Cobb was inside the ambulance receiving medical evaluation.

Officer Toft diverted his attention to the red Dodge Challenger. Officer Toft approached the vehicle and found it to be unoccupied. Officer Toft observed extensive front-end damage on the vehicle consistent with it just being in a collision with the other involved vehicle. Officer Toft knows it to be a criminal offense to be involved in a motor vehicle crash and leave the scene without providing identifying information. Officer Toft knew this vehicle to be a rental car and not registered to any specific person. Officer Toft began a search of the vehicle with the intent of finding identifying information for the renter and/or occupants of the vehicle. Officer Toft located a vehicle rental agreement in the glovebox of the vehicle. The vehicle rental agreement was from the Budget Car Rental at 2935 N 27th St., Lincoln, Lancaster County, Nebraska. The rental agreement indicated the vehicle was registered to a Cassey Stech (DOB: 01-04-1979) with a cell phone number of 402-405-6156. The rental agreement further stated Stech was to be the only person operating this rented motor vehicle. The rental agreement indicated the vehicle was due to be returned on December 21, 2023 at 11:00 A.M.

As Officer Toft continued to search the abandoned red Dodge Challenger, a small blue zippered case with a floral pattern was located in the glovebox. The case was small, but large enough to hold a driver's license, credit card, or other identifying documents. Officer Toft opened the case and observed a self-seal bag containing a white crystalline substance. Based on Officer Toft's training and experience, this substance was believed to be methamphetamine. This substance was later subject to a Marquis Reagent pretest and gave a positive indication for the presence of amphetamines. The substance was sent to the Nebraska State Patrol Crime Lab for further evaluation. Also, in the case was a glass bulbous pipe with burnt residue consistent with the smoking of methamphetamine, Q-tips, and 3 blank Pinnacle Bank checks. Officer Toft found the checks to belong to a David Fletcher.

After locating the above items, Officer Toft went to the Lincoln Fire and Rescue

ambulance to interview Cobb. Cobb stated she was stopped at the red light going southbound on north 27th Street and Kensington Drive when she felt a very strong collision at the rear end of her motor vehicle. Cobb stated the collision caused her vehicle to roll a significant distance from the initial impact location. Cobb stated she exited her vehicle to see the red Dodge Challenger had struck her rear end. Cobb stated she saw what she believed to be a female occupant exit the Challenger. Cobb stated a short time later the occupant ran away from the scene. Cobb estimated the Challenger was going approximately 40 to 50 miles per hour upon impact. Cobb complained of pain to her lower back and legs as a result of the impact. Officer Toft observed Cobb to be in a visible state of panic to include rapid shallow breathing, difficulty gathering thoughts, and rapid hard to follow speech. Cobb was evaluated by Lincoln Fire and Rescue, but chose not to be transported to a medical facility.

While Officer Toft interviewed Cobb, Sergeant Vocasek #1651 completed the search of the vehicle. Sergeant Vocasek noted there was shattering to the inside of the windshield on both the passenger and driver's side consistent with two occupants being present in the vehicle at the time of impact. Both front airbags had been deployed and there was blood on the airbags. These airbags were collected for potential DNA testing. The apparent high-speed nature of the crash, coupled with the airbag deployment and windshield damage provide evidence the occupants of the red Dodge Challenger suffered head injuries during the impact. It is a felony offense in the state of Nebraska to leave the scene of a motor vehicle accidents when an injury occurs.

Sergeant Vocasek also notified Officer Toft that he located a red Apple iPhone with a gold, tan, and black Kate Spade phone case on the dashboard of the vehicle. The cell phone was still activated and receiving correspondence from various communication platforms. The phone was found to have the number 402-432-9565. The owner information on the phone was not readily available or apparent as the phone was passcode protected. The phone notably received seven missed phone calls from a contact named 'Jordan' in the period between being left in the vehicle and being placed into airplane mode. Officer Toft believes 'Jordan' to be Jordan Griess (DOB: 09-29-1992). Griess is known to be associated with Cassey Stech, the renter of the vehicle. Griess is known to the Lincoln Police Department to be in or have been in a romantic dating relationship with Stech. Officer Toft took possession of the cell phone from Sergeant Vocasek and tagged it into the Faraday Phone Locker at the Lincoln Police Property Unit under Q2328224.

Your Affiant believes the contents of the listed cell phone will be invaluable to the investigation. Searching the cell phone will help show who was occupying the vehicle at the time of the crash and help establish the ownership of the seized controlled substance.

evidence.

The above does constitute grounds of probable cause for an issuance of a search warrant to search and seize the evidence specifically identified in Attachment A.

Your Affiant would advise the court that the search of cellular 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 ten (10) days normally required by the court.

Further AFFIANT saith not;

Dated this ^{RDR} ~~1st~~ ^{May} day of ~~April~~, 2024.

Patrick Sullivan
Inv. Patrick Sullivan, Lincoln Police Department

SUBSCRIBED to in my presence and sworn to before me this ^{16th} day of May, 2024.

Rodney D. Reuter
Judge of the County Court

Rodney D. Reuter
Printed Name of Judge