

**IN THE County COURT OF OMAHA, DOUGLAS COUNTY, NEBRASKA**

**STATE OF NEBRASKA)  
)  
COUNTY OF DOUGLAS)**

**AFFIDAVIT AND APPLICATION  
FOR ISSUANCE OF A  
SEARCH WARRANT**

The complaint and affidavit of Officer Mark BLICE #2143, on this 29 day of June, 2018, who, being first duly sworn, upon oath says:

That the officer has just and reasonable grounds to believe, and does believe that there is concealed or kept as hereinafter described, the following property, to wit:

Cellular phone Samsung model SM-G890A IMEI 352131076093075, Lectrosonic microphone transmitters (with serial numbers 151, 270, 356, 360, 362, 364, 936, 291, 292, 293, 294, 295, 296, 297, 1394, 1699, 170, 1701, 1702, 1703, 7240, 7241), theatrical scripts including FUN HOME, SHE KILLS MONSTERS, CURIOUS INCIDENT OF THE DOG IN THE NIGHTTIME, OF MICE AND MEN, ONE MAN TWO GUVNORS, and MEN ON BOATS; Venue items identifying Jeffery HORGER or any other occupants of 1005 N 50<sup>th</sup> Avenue, Omaha, Douglas County Nebraska, any and all keys to the business located at 6915 Cass Street, Omaha, Douglas County Nebraska, silver duct tape typical of the sort used to tape over locks at the victim address.

#29 FILED  
IN DISTRICT COURT  
DOUGLAS COUNTY NEBRASKA  
JUL 06 2018  
JOHN M. FRIEND  
CLERK DISTRICT COURT

That said property is concealed or kept in, on, or about the following place or person, to wit:

1005 N 50<sup>th</sup> Avenue, Omaha, Douglas County NE and/or the person of Jeffery HORGER DOB 12-10-1984 . The property is described as a single family dwelling with the number "1005 " above the front door on the covered front porch. The property is further described as being of yellow siding with a brick veneer single car attached garage; it is the second west facing dwelling to the north of the intersection of N 50<sup>th</sup> Avenue and Izard Street on the east side, and is immediately north of 1003 N 50<sup>th</sup> Avenue. The legal description of the property is CARTHAGE ADD LOT 9 BLOCK 14 50 X 126. Also, a silver 2009 Toyota Prius VIN JTDKB20U897824737 with Nebraska plates SHRACHE and/or a red 2007 Toyota Yaris VIN JTDBT923571063188 with Nebraska plates JHITCH whether found on the curtilage or on the street. Both of these vehicles are registered to Jeffery HORGER and his wife Jessica HITCHINS DOB 10-19-1983.

The suspected place, in addition to the foregoing description also includes all other buildings, structures, places, and vehicles on said premises and within the curtilage, if said premises is a residence, which are found to be under the control of the suspected party named above and in, on, or around which said suspected party may reasonably hide or deposit property which is the object of the search requested herein.

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**Clerk of Court  
DOUGLAS COUNTY COURT  
OMAHA, NEBRASKA**

That said property is under the control or custody of:

The person of Jeffery HORGER or Jessica HITCHINS. Affiant Officer BLICE contacted a representative from the Omaha Public Power District who indicated that Jessica HITCHINS is the current subscriber for services at 1005 N 50<sup>TH</sup> Avenue, Omaha, Douglas County Nebraska and is the wife of Jeffery HORGER.

That the following are the grounds for issuance of a search warrant for said property and the reasons for the officer's belief to wit:

Affiant Officer BLICE #2143 began a burglary investigation on 19 June 2018 regarding a burglary and property damage at 6915 Cass St, Omaha, Douglas County Nebraska, which occurred between 2100 hours, 18 June 2018 and 0800 hours 19 June 2019. During the course of that investigation it was learned that suspect HORGER was recently fired from his position at the victim's business. HORGER and the business reportedly went through an acrimonious arbitration process where HORGER reportedly made threats to disparage the business within the community. HORGER was reportedly fired from his position on 16 MAY 2018 and escorted from the building at that time. He returned under staff supervision on 19 May 2018 to collect his personal belongings.

Affiant obtained a warrant for call records and cell tower information for a phone number belonging to suspect HORGER, Jeffery, specifically for phone number 815-830-2900. On Monday 25 JUNE 2018, Affiant received information from that search warrant regarding call records and cell phone tower information for that phone. Those records showed that HORGER'S phone was in the area of 6915 Cass Street, Omaha, Douglas County Nebraska on or about 2210 hours 19JUN18. The records indicate that the phone was in the area, within an area between 100 and 600 meters of that address, for approximately one hour and thirty five minutes and left the area at approximately 2345 hours 18 June 2018.

Further, the phone was in the area of 6915 Cass St, Omaha, Douglas County Nebraska during two previous suspicious alarms at the victim's address. A check of the alarm panel logs from the victim's security company, conducted on 19 June 2018, showed that on 02 JUNE 2018 at 0039 hours the alarm at the victim business was disarmed. The alarm was re-armed at 0048 hours 02 June 2018 and an alarm was tripped at 0055 hours 02 June 2018. On 16 JUNE 2018 at 0021 hours the alarm was again disarmed. It was re-armed at 0127 hours 16 June 2018 and tripped at 0128 hours 16 June 2018. Victim representatives report that none of the staff was at the business at these times. A code, common to all employees, was used to disarm the alarm panel on those occasions. The alarm panel code was not changed after HORGER'S termination. Information obtained from the above search warrant showed HORGER'S phone to be in the area of 6915 Cass St at approximately 0040 hours through approximately 0055 hours on 02 June 2018, and between approximately 0020 hours and 0130 hours 16 June 2018. All three of the above

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CONTINUATION OF AFFIDAVIT AND APPLICATION

instances happened after HORGER had been terminated, giving HORGER no legitimate reason to be on the victim's property when the business was closed.

Based on Affiant Officer's prior training and experience, the burglary that took place on 18/19 JUNE 2018 appears to be targeted to disrupt the normal business operation of the victim. Silver "duct" tape was used to tape over 2 separate locks on the building doors. Equipment required for the business operation, and having little or no resale value, was destroyed and stolen. Lighting and audio equipment was removed from one performance space and left concealed in the landscaping outside the business. That electronic equipment, left outside in the rain overnight, was destroyed. Additional audio equipment in the form of wireless microphone transmitters ( Lectrosonic microphone transmitters with serial numbers 151, 270, 356, 360, 362, 364, 936, 291, 292, 293, 294, 295, 296, 297, 1394, 1699, 170, 1701, 1702, 1703, 7240, 7241), were reported stolen and have yet to be recovered. Those transmitters work only with the matching receivers, which were left undisturbed; giving the transmitters no resale value. In addition, a water tank was intentionally damaged, releasing 300 gallons of water into the occupied performance space. It is Affiant's belief that all of this damage was done with the apparent intent to disrupt current, time sensitive operations, as no damage was done to another, vacant performance space in the building containing similar equipment. Additionally, personal items were taken from management staff directly involved in HORGER'S separation, but no other staff members were targeted; a bag of dog food, still in its delivery box and unopened, was carried from a second floor office and thrown into a dumpster behind the building, still unopened. That package belonged to HORGER'S immediate supervisor who was directly involved in his separation. Lastly, theatrical scripts (FUN HOME, SHE KILLS MONSTERS, CURIOUS INCIDENT OF THE DOG IN THE NIGHTTIME, OF MICE AND MEN, ONE MAN TWO GUVNORS, and MEN ON BOATS), used for planning the 2018-2019 season were taken from an office on the second floor of the building. Affiant believes that HORGER would have knowledge of the equipment and other items, the operational requirements of the victim business, and how the specific equipment damaged would affect the business operations.

Affiant has reason to believe, and does believe, that a search of 1005 N 50<sup>th</sup> Avenue would find stolen items and HORGER'S phone, a Samsung SM-G890A phone with IMEI 3521310716093075 and phone number 815-830-2900; the phone would provide further evidence of HORGER'S presence at the victim address of 6915 Cass Street Omaha, Douglas County Nebraska during the time of the burglary and his involvement in the burglary.

A warrant authorizing a night-time search is requested because:

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**OMAHA, NEBRASKA**

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CONTINUATION OF AFFIDAVIT AND APPLICATION

The investigation began during the daylight hours and Detectives of the Omaha Police Department Burglary Unit have been working since then to continue the investigation, which will run into the nighttime hours.

That a No Knock Search Warrant is requested because: (Applies only if you can show that items sought can be easily or quickly disposed of or destroyed or if life or limb of officer is in danger.)

Not requested

WHEREFORE, the officer prays that a Search Warrant may be issued according to law.

M. B. #2143  
Omaha Police Officer

SUBSCRIBED AND SWORN to me this 29 day of June 2018

Omaha  
Judge of the 2060 Court

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CRIM/TRAF DIVISION

JUL 06 2018

Clerk of Court  
DOUGLAS COUNTY COURT  
OMAHA, NEBRASKA

RETURN AND INVENTORY

STATE OF NEBRASKA)  
)SS  
COUNTY OF DOUGLAS)

Mark BLICE #2143 , being first duly sworn, deposes and says that, on 02JUL18 I served the within warrant and made a diligent search for the property described therein at the place, or person, mentioned therein, and seized and am in possession of the following described property, to wit:

1. Samsung Galaxy phone IMEI # 352131076093075 recovered from the arm chair in the basement living area by BLICE #2143
2. Key stamped "4837" recovered from the nightstand in the north east bedroom by GALLOWAY # 2034
3. Scripts "Of MICE AND MEN" and "ONE MAN, TWO GUVNORS" recovered from a blue plastic tote from the garage by BLICE #2143
4. Roll of silver duct tape from a cloth bag in the basement (south east room) recovered by GALLOWAY #2034
5. Venue in the form of a sealed envelope addressed to Jeffery HORGES at 1005 N 50 Av Omaha NE. from the northwest basement room. Recovered by BLICE #2143

Said property was inventoried in the presence of JEFF HORGES, and a copy of said Warrant and a receipt for said property was given to/left at 1005 N.50 Avenue

DATED this 6 day of JUNE, 2018.

[Signature] #2143  
OMAHA NEBRASKA POLICE OFFICER

SUBSCRIBED AND SWORN TO before me this 6 day of July, 2018.

Warrant and inventory returned on this 6 day of July, 2018.

[Signature]  
JUDGE OF THE lawy COURT  
OF DOUGLAS COUNTY, NEBRASKA

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