

State v. Jennings (20)

Case Number

S-18-1186

Case Audio

Download Audio

Call Date

March 4, 2020

Case Time

9:00 AM

Court Number

Douglas

Case Location

Lincoln

Court Type

District Court

Case Summary

S-18-1186 State v. Leandre Jennings (Appellant)

Douglas County District Court, Judge Kimberly Pankonin

Attorneys: Austin N. Relph (Office of the Attorney General) --- Thomas C. Riley (Public Defender?s Office)

Criminal: Motion to suppress; 1st degree murder; use of firearm to commit felony; possession of firearm by prohibited person

Proceedings below: Following a jury trial, Appellant was found guilty and sentenced to life imprisonment on Count I; 30 to 40 years on Count II; and 40 to 45 on Count III.

Issues: Whether the district court committed reversible error by 1) denying Appellant?s motion to suppress and admitting into evidence cell phone records and cell site location information from Appellant?s cell phone provider in violation of the fourth and fourteenth amendments to the U.S. Constitution and Article I sections seven and three of the Nebraska Constitution, 2) overruling Appellant?s motion to suppress the evidence seized or photographed during the unlawful search of the Appellant?s residence because the warrant upon which the search was authorized constitutes a general warrant and violates the particularity requirement of the State and Federal Constitutions, and 3) overruling Appellant?s motion to suppress the items seized by police during the search of his residence and allowing them to be admitted into evidence at trial because there is insufficient evidence in the affidavit to support a finding of probable cause and the affidavit includes information obtained from a previous unlawful search.

Schedule Code

SC
