

WARRANTLESS ARREST  
AFFIDAVIT

CC 6:54 New 08/14  
Neb. Rev. Stat. §29-404.02  
Document #

IN THE COUNTY COURT OF DOUGLAS COUNTY, NEBRASKA

STATE OF NEBRASKA

Case # DCSO20220001248-001

Plaintiff

vs.

WARRANTLESS ARREST AFFIDAVIT

WAGNER, Abraham M

Defendant

I, S445 - KAYSER, COURTNEY, of the Douglas County Sheriff's Office, being duly sworn under oath, state that on 1/16/2022, within Douglas County, Nebraska, I arrested the following defendant, without a warrant, based on the following charge(s) and facts:

Name: WAGNER, Abraham M

Date of Birth: 3/4/1980

Address: Home- 6204 N 155th St Omaha, NE 68116

Driver's License or State Identification Number: H13003283 Nebraska

(Count)/Offense(s)/Statute Number(s)

Class(es) of Crime(s)

(1) 21966-CONTRLD SUBST, POSSESS 28-416(3)	F4
(1) 24865-C/S-POSS FIREARM W/FEL 1B/1C DRUG VIOL 28-416(16)(A)	F1B
(1) 21668-HANDGUN-CONCEAL-RESTRICTED LOCATION 69-2441-M3	M3
(1) 20553-DOMESTIC ASSAULT, 3RD DEG -1ST OFFENSE 28-323(4)-M1	M1
(1) 22113-CHILD ABUSE 28-707(Z)	M1
(1) 21572-CRIMINAL MISCHIEF \$1500-\$4999 28-519(3)	M1

Facts:

On 15 JAN 21 at 2357 hours Dep. C. Brocker S520 (R/D), Dep. J. Zellers S471(A/D) and Dep. K. O'Neill S462 were dispatched to 6204 N 155th St in reference to a domestic disturbance.

Upon arrival, R/D made contact with the caller, AGOSTA, Angela. AGOSTA stated that her fiancé, WAGNER, Abraham, had been drinking and had started an argument. AGOSTA stated that they broke up and WAGNER began to collect his belongings. AGOSTA stated that WAGNER was loud and had made a lot of noise while banging items around in the basement and upstairs. AGOSTA stated that she removed her garage door opener out of WAGNER's vehicle. Before WAGNER left he came back in to the house. WAGNER asked AGOSTA about the opener and AGOSTA stated that he will not find it. WAGNER became more upset and went back out to the garage. AGOSTA stated that WAGNER then picked a weight up from the steps in the garage. WAGNER then broke the passenger side rear window. AGOSTA tried to grab WAGNER's arms to stop him from hitting her car. AGOSTA stated that she was scraped at this time but was unsure of what it was from. AGOSTA stated that her 16 y/o daughter AGOSTA, ASHLEY was present during the verbal argument and when the windows were broken on her vehicle. AGOSTA stated that both her and ASHLEY felt like their peace was disturbed and that their safety was in danger.

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CRIM/TRAFF DIVISION

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JAN 18 2022

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DOUGLAS COUNTY COURT  
OMAHA, NEBRASKA

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R/D observed that AGOSTA had a scrape on her right wrist that was not actively bleeding but had dried blood around it. AGOSTA stated that WAGNER had left in a black Range Rover that may be missing the front plate.

R/D observed AGOSTA's white 2020 BMW SUV bearing Nebraska license plate SCENTSY, parked in the garage. R/D observed that the rear passenger window was completely broken out and the front passenger window was shattered but not fully broken out. R/D observed that there was a large amount of glass on the inside the BMW and on the ground. R/D observed a dent on the passenger rear door. AGOSTA stated that WAGNER used a 2.2 pound weight to break the windows and dent the door. R/D observed the weight on the floor of the garage to the left of the SUV, near the driver's side rear tire. AGOSTA stated the damage was estimated to cost approximately \$2,000 to repair.

While on scene, A/D advised Dep A. Berkshire S475 where WAGNER was possibly staying near 108th street and Harrison. Dep. Berkshire notified A/D he observed a black Range Rover traveling westbound on Dodge street. Dep. Berkshire stated that the vehicle was consistent with the description that AGOSTA had given to deputies. A/D asked Dep. O'Neill to sit outside of 6204 N 155th St. Dep. O'Neill stated that he observed the black Range Rover then drive past the residence. Dep. O'Neill initiated a traffic stop on that vehicle at 156th street and Curtis Ave. R/D and A/D responded to the stop location. Dep. O'Neill identified the driver as WAGNER. WAGNER was arrested for criminal mischief, domestic assault 3rd degree, disturbing the peace, misdemeanor child abuse possession of a controlled substance, possession of a deadly weapon while committing a felony and for CCW permit violation. R/D observed a cut to WAGNER's left forearm that was actively bleeding. WAGNER refused a squad when offered.

CSI was called to the scene to document the damage done to the BMW, as well as AGOSTA's and WAGNER's injuries.

WAGNER's Range Rover was impounded at the OPD impound lot.

R/D and A/D conducted an inventory of WAGNER's car. WAGNER told R/D that he had a backpack containing a laptop and cash in the car. R/D retrieved the backpack and discovered a Glock 19 (S&W S17560)