

IN THE COUNTY COURT OF SARPY COUNTY, NEBRASKA

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| THE STATE OF NEBRASKA |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | CRIMINAL COMPLAINT |
| |) | |
| ROBERTO C. SILVA, JR. |) | |
| 6023 S. 95th St. |) | |
| Omaha, NE 68127 |) | |
| |) | |
| Defendant. |) | |

COMES NOW the undersigned County Attorney or his Deputy of Sarpy County, Nebraska, and makes formal complaint to this Court on behalf of the State of Nebraska, that the above-named defendant violated the laws of the State of Nebraska to the best of his/her knowledge and belief, to-wit:

COUNT 1: FIRST DEGREE MURDER

On or about the 21st day of November, 2020, at or near 1307 Cornhusker Rd., in Sarpy County, Nebraska, said Roberto C. Silva, Jr., did kill Ryan Herbert purposely and with deliberate and premeditated malice, or in the perpetration of or attempt to perpetrate any sexual assault in the first degree, arson, robbery, kidnaping, hijacking of any public or private means of transportation, or burglary, or by administering poison or causing the same to be done, in violation of Section 28-303, R.R.S. Nebraska. (CLASS IA FELONY)

COUNT 2: USE OF A FIREARM TO COMMIT A FELONY

On or about the 21st day of November, 2020, at or near 1307 Cornhusker Rd., in Sarpy County, Nebraska, said Roberto C. Silva, Jr., did use a firearm to commit any felony which may be prosecuted in a court of this State, in violation of Section 28-1205(1)(a)(c), R.R.S. Nebraska. (CLASS IC FELONY)

COUNT 3: FIRST DEGREE MURDER

On or about the 21st day of November, 2020, at or near 1307 Cornhusker Rd., in Sarpy County, Nebraska, said Roberto C. Silva, Jr., did kill Nathan Pastrana purposely and with deliberate and premeditated malice, or in the perpetration of or attempt to perpetrate any sexual assault in the first degree, arson, robbery, kidnaping, hijacking of any public or private means of transportation, or burglary, or by administering poison or causing the same to be done, in violation of Section 28-303, R.R.S. Nebraska. (CLASS IA FELONY)

COUNT 4: USE OF A FIREARM TO COMMIT A FELONY

On or about the 21st day of November, 2020, at or near 1307 Cornhusker Rd., in Sarpy County, Nebraska, said Roberto C. Silva, Jr., did use a firearm to commit any felony which may be prosecuted in a court of this State, in violation of Section 28-1205(1)(a)(c), R.R.S. Nebraska. (CLASS IC FELONY)

COUNT 5: CRIMINAL ATTEMPT - FIRST DEGREE MURDER

On or about the 21st day of November, 2020, at or near 1307 Cornhusker Rd., in Sarpy County, Nebraska, said Roberto C. Silva, Jr., did intentionally engage in conduct which would constitute the crime of First Degree Murder under Section 28-303, to-wit: kill Kenneth Gerner purposely and with deliberate and premeditated malice, or in the perpetration of or attempt to perpetrate any sexual assault in the first degree, arson, robbery, kidnaping, hijacking of any public or private means of transportation, or burglary, or by administering poison or causing the same to be done, if the attendant circumstances were as he or she believed them to be; or which under the circumstances as he or she believed them to be, would constitute a substantial step in a course of conduct intended to culminate in his or her commission of the crime of First Degree Murder under Section 28-303; or which was a substantial step in a course of conduct intended or known to cause a particular result which is an element of the crime of First Degree Murder under Section 28-303, in violation of Section 28-201(4)(a), R.R.S. Nebraska. (CLASS II FELONY)

COUNT 6: USE OF A FIREARM TO COMMIT A FELONY

On or about the 21st day of November, 2020, at or near 1307 Cornhusker Rd., in Sarpy County, Nebraska, said Roberto C. Silva, Jr., did use a firearm to commit any felony which may be prosecuted in a court of this State, in violation of Section 28-1205(1)(a)(c), R.R.S. Nebraska. (CLASS IC FELONY)

COUNT 7: CRIMINAL ATTEMPT - FIRST DEGREE MURDER

On or about the 21st day of November, 2020, at or near 1307 Cornhusker Rd., in Sarpy County, Nebraska, said Roberto C. Silva, Jr., did intentionally engage in conduct which would constitute the crime of First Degree Murder under Section 28-303, to-wit: kill Zoey Lujan purposely and with deliberate and premeditated malice, or in the perpetration of or attempt to perpetrate any sexual assault in the first degree, arson, robbery, kidnaping, hijacking of any public or private means of transportation, or burglary, or by administering poison or causing the same to be done, if the attendant circumstances were as he or she believed them to be; or which under the circumstances as he or she believed them to be, would constitute a substantial step in a course of conduct intended to culminate in his or her commission of the crime of First Degree Murder under Section 28-303; or which was a substantial step in a course of conduct intended or known to cause a particular result which is an element of the crime of First Degree Murder under Section 28-303, in violation of Section 28-201(4)(a), R.R.S. Nebraska. (CLASS II FELONY)

COUNT 8: USE OF A FIREARM TO COMMIT A FELONY

On or about the 21st day of November, 2020, at or near 1307 Cornhusker Rd., in Sarpy County, Nebraska, said Roberto C. Silva, Jr., did use a firearm to commit any felony which may be prosecuted in a court of this State, in violation of Section 28-1205(1)(a)(c), R.R.S. Nebraska. (CLASS IC FELONY)

COUNT 9: ARSON IN THE FIRST DEGREE

On or about the 21st day of November, 2020, at or near 1307 Cornhusker Rd., in Sarpy County, Nebraska, said Roberto C. Silva, Jr., did intentionally damage a building or property contained within a building by starting a fire or causing an explosion when another person was present in the building at the time and he knew that fact, or the circumstances were such as to render the presence of a person therein a reasonable probability, in violation of Section 28-502, R.R.S. Nebraska. (CLASS II FELONY)

DATED this 23rd day of November, 2020.

/s/ Bonnie N. Moore

Bonnie N. Moore, NSBA #24707
County Attorney/Deputy

CA File # 2020-03931
DCN # 5900099027