



IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

Ana Cecilia Osorio  
~~Octavio Guzman~~ Petitioner,

Case No. CI 24-1837

Additional Petitioner/Minor Child(ren),

**PETITION AND  
AFFIDAVIT TO OBTAIN  
DOMESTIC ABUSE  
PROTECTION ORDER**

vs. Additional Petitioner/Minor Child(ren),  
NOEMI GUZMAN  
Respondent.

ASSIGNED TO Lux

1. I, Ana Cecilia Osorio, am petitioning for a domestic abuse protection order pursuant to Neb. Rev. Stat. § 42-924. I am filing this petition on behalf of: (please check one)

- Myself. I am a victim of domestic abuse.
- Myself and additional petitioner(s) who are victims of domestic abuse and whose name(s) is/are shown after mine in the caption of this petition.

My relationship to the additional petitioner(s)/minor child(ren) is/are:

- custodial parent,  guardian,  other: father in law

- Only on behalf of the additional petitioner(s) who are in fear of domestic abuse and whose name(s) is/are shown after mine in the caption of this petition.

My relationship to the additional petitioner(s)/minor child(ren) is/are:

- custodial parent,  guardian,  other: Biological father husband

AND:

I am 19 or older or legally emancipated OR

I am a minor and \_\_\_\_\_ years of age.

I do not speak English. The language that I speak is:

Spanish  
#27 FILED  
District Court  
DOUGLAS COUNTY, NEBRASKA  
MAR 07 2024  
CLERK DISTRICT COURT

2. Check Only One:

I have received address protection from the Secretary of State under the Address Confidentiality Program. (Service of any court process shall be made by mailing two copies of the process to the Office of Secretary of State, Address Confidentiality Program, Suite 2300, State Capitol Building, Lincoln, NE, 68509)

I am living at a safe house or shelter for my own protection. Pursuant to Neb. Rev. Stat. § 29-4303, I cannot identify the name, address, location or phone number of the facility.

My address is  
2227 S 11<sup>th</sup> Street Omaha NE 68108  
(Street or Route/Box) (City) (State) (ZIP code)

Mailing address (if different)  
Same  
(Street or Route/Box) (City) (State) (ZIP code)

3. Neb. Ct. Rule § 2-208 requires people involved in a case who are not attorneys to provide their email address or provide a reason why they cannot receive emails.

I do not have the ability to receive emails. The reason I cannot receive email is:

My email address is: \_\_\_\_\_

**NOTE: By providing this email address, I acknowledge that I am aware that this information will be public record. I also understand that I will only receive email communications regarding this case from the court.**

4. My relationship to the respondent is: (Check the **ONE** that best applies):

- spouse (husband or wife)
- former spouse
- child
- someone I am living with
- someone I have lived with in the past
- the father/ mother of one or more of my children
- Not applicable because requesting only on behalf of other(s)

- someone I am presently dating
- someone I have dated in the past
- someone related to me in the following way:

Daughter of my husband

5. I am filing this petition against the respondent whose age is: 29,  
and who resides at:

4102 Woolworth Ave Omaha NE 68105  
(Street or Route/Box) (City) (State) (ZIP code)

Mailing address (if different)

CMHC Mental Health Center (402) 444-3375  
(Street or Route/Box) (City) (State) (ZIP code)  
(Phone number)

The respondent does not speak English. The language that the respondent speaks is: \_\_\_\_\_.

6. The following are identifying characteristics for the respondent :

Sex: Female Race: Hispanic Skin Tone: Brown  
Height: 5'2 Weight: 165 Eye Color: BRN  
Hair Color: Black  
Driver's License #: \_\_\_\_\_ State: NE  
Exp. Date: \_\_\_\_\_  
Place of Birth: Othello Washington  
Scars/Marks/Tattoos: \_\_\_\_\_

Other distinguishing features:  
Currently at Douglas County Mental Health Center  
5th floor

7. The respondent and I  have or  have not been involved in ;  
past or current court cases together. (i.e., divorce, paternity, custody,  
juvenile, criminal, or protection orders) If so: when, where, type of case,  
name of court(s), and case number(s).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

MIA

8. The respondent and I are parents of the following minor child(ren).

Name: \_\_\_\_\_ Age: \_\_\_\_\_

Residence: \_\_\_\_\_

Name: \_\_\_\_\_ Age: \_\_\_\_\_

Residence: \_\_\_\_\_

Name: \_\_\_\_\_ Age: \_\_\_\_\_

Residence: \_\_\_\_\_

Name: \_\_\_\_\_ Age: \_\_\_\_\_

Residence: \_\_\_\_\_

Name: \_\_\_\_\_ Age: \_\_\_\_\_

Residence: \_\_\_\_\_

I am the parent, but the respondent is not the parent, of the following minor child(ren):

Name: \_\_\_\_\_ Age: \_\_\_\_\_

Residence: \_\_\_\_\_

Name: \_\_\_\_\_ Age: \_\_\_\_\_

Residence: \_\_\_\_\_

Name: \_\_\_\_\_ Age: \_\_\_\_\_

Residence: \_\_\_\_\_

9. I hereby ask the court to enter a protection order (mark all that apply):

prohibiting the respondent from imposing any restraint upon me or upon my liberty;

prohibiting the respondent from threatening, assaulting, molesting, or attacking me, or otherwise disturbing my peace;

prohibiting the respondent from telephoning, contacting, or otherwise communicating with me;

removing and excluding the respondent from my residence; place of residence and person 2227 11<sup>th</sup> St Omaha NE

ordering the respondent to stay away from the following location(s): 68108  
(specify address, location description, and connection of place to petitioner)

2227 11<sup>th</sup> Street Omaha NE, 68108

(Continued on next page.)

(Continued from previous page.)

granting me temporary custody of the following minor children for \_\_\_\_\_ days (not to exceed 90 days):

*MA*

Name: \_\_\_\_\_ Age: \_\_\_\_\_

Residence: \_\_\_\_\_

Name: \_\_\_\_\_ Age: \_\_\_\_\_

Residence: \_\_\_\_\_

Name: \_\_\_\_\_ Age: \_\_\_\_\_

Residence: \_\_\_\_\_

Name: \_\_\_\_\_ Age: \_\_\_\_\_

Residence: \_\_\_\_\_

Name: \_\_\_\_\_ Age: \_\_\_\_\_

Residence: \_\_\_\_\_

prohibiting the respondent from possessing or purchasing a firearm as defined in Neb. Rev. Stat. § 28-1201.

granting me sole possession of any household pet(s) owned, possessed, leased, kept, or held by the petitioner, the respondent, or any family or household member residing in the household of the petitioner or respondent. The pet(s) I am requesting sole possession of are:

Name	Species	Description
_____	_____	_____
_____	_____	_____
_____	_____	_____

Such sole possession shall last for the duration of the protection order or until further order of the court. Sole possession does not determine ownership. The petitioner shall not permanently transfer, sell, or dispose of a household pet(s) placed in the petitioner's possession without prior court approval. Court approval shall not be required in cases where humane euthanasia of a seriously ill or injured household pet(s) is recommended by a licensed veterinarian.

enjoining the respondent from coming into contact with, harming, or killing any household pet(s) owned, possessed, leased, kept, or held by the petitioner, the respondent, or any family or household member of the petitioner or respondent.

- ordering any other relief deemed necessary to provide for the safety and welfare of me and any designated family or household member, (describe relief requested and why):
- 
- 

10. I request to have a  District Court Judge, or a  County Court Judge preside over this proceeding. (I understand this request may not be granted.).
11. For purposes of the Protection from Domestic Abuse Act, abuse means the occurrence of one or more of the following acts:
- (a) attempting to cause or intentionally and knowingly causing bodily injury;
  - (b) placing, by means of credible threat, another person in fear of bodily injury (either verbally or in writing), or;
  - (c) engaging in sexual contact or sexual penetration without consent.

The dates or approximate dates and facts of the most recent **and** the most severe incident or incident(s) of domestic abuse are as follows: (Please write a brief but detailed description of each incident. Examples might include shoves, kicks or blows inflicted, weapons used, threats made, injuries sustained, medical or hospital treatment necessary).

A. Date/Time: 03-03-2024 Description:  
NOEMI GUZMAN attacked father Octavio Guzman and his wife Cecilia Osorio with a knife and flammable liquids, stab father on face, neck, core head, eye and hands, back, side head and deep his face with flammable fluids. TO Cecilia Osorio cut 3 fore arm, hand, pushed to ground. Both father Octavio and his wife Cecilia and sprayed the inside of residence with Gas fluid and destroyed property at home. yelling I will kill you to Octavio Guzman.

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B. Date/Time: years 2018-2024 Description:

Multiple dates of consistent threats and physically assaulting father on face and body.

C. Date/Time: 03-07-2024 Description:

NOEMI GUZMAN IS currently on a MARIQUITA hold and the Douglas County Community mental Health Center. We don't want her to return to home address for safety.

12. I request the court treat this Petition and Affidavit for a Domestic Abuse Protection Order as a request for a sexual assault protection order or a harassment protection order if it appears to the court, based on facts contained in this Petition and Affidavit and the evidence presented at a show cause hearing, that another type of protection order is more appropriate in this case, and the court makes such findings.

13. Additional Petitioner(s) (if needed):

**Petitioner 2 (Minor Child):**

Name: \_\_\_\_\_ Age: \_\_\_\_\_

Relationship to the Respondent (From list on number 4):

Residence:

- The address of this Petitioner is the same as my address above.  
 This Petitioner's address is:

\_\_\_\_\_  
(Street or Route/Box)

\_\_\_\_\_  
(City)

\_\_\_\_\_  
(State) (ZIP code)

**Petitioner 3 (Minor Child):**

Name: \_\_\_\_\_ Age: \_\_\_\_\_

Relationship to the Respondent (From list on number 4):

Residence:

- The address of this Petitioner is the same as my address above.  
 This Petitioner's address is:

\_\_\_\_\_  
(Street or Route/Box)

\_\_\_\_\_  
(City)

\_\_\_\_\_  
(State) (ZIP code)

**Petitioner 4 (Minor Child):**

Name: \_\_\_\_\_ Age: \_\_\_\_\_

Relationship to the Respondent (From list on number 4):

Residence:

- The address of this Petitioner is the same as my address above.  
 This Petitioner's address is:

\_\_\_\_\_  
(Street or Route/Box)

\_\_\_\_\_  
(City)

\_\_\_\_\_  
(State) (ZIP code)

**Petitioner 5 (Minor Child):**

Name: \_\_\_\_\_ Age: \_\_\_\_\_

Relationship to the Respondent (From list on number 4):

Residence:

- The address of this Petitioner is the same as my address above.
- This Petitioner's address is:

\_\_\_\_\_  
 (Street or Route/Box) (City) (State) (ZIP code)

**Petitioner 6 (Minor Child):**

Name: \_\_\_\_\_ Age: \_\_\_\_\_

Relationship to the Respondent (From list on number 4):

Residence:

- The address of this Petitioner is the same as my address above.
- This Petitioner's address is:

\_\_\_\_\_  
 (Street or Route/Box) (City) (State) (ZIP code)

I hereby swear, or affirm, under penalty of perjury, the forgoing affidavit is true.

*X Ana Cecilia OSORIO*  
 \_\_\_\_\_  
 Signature of Petitioner

\_\_\_\_\_  
 (Name, Firm name, and Bar Number IF being completed by an attorney)

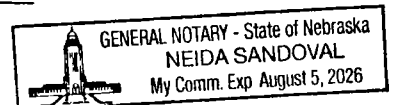
**(do NOT sign UNTIL THE CLERK OF THE DISTRICT COURT OR A NOTARY IS PRESENT AND WITNESSES YOU SIGNING)**

Subscribed and sworn before me on March 7, 2024

*Neida Sandoval*  
 \_\_\_\_\_  
 Clerk of the Court/Notary Public

(Seal)

My Commission Expires: 8/5/26



Justice # CW240168  
Data # 3211149

IN THE COUNTY COURT OF DOUGLAS COUNTY, NEBRASKA

STATE OF NEBRASKA  
Plaintiff,

CR# \_\_\_\_\_ - \_\_\_\_\_

vs.

NOEMI GUZMAN,  
Defendant.

**CRIMINAL COMPLAINT  
(FELONY)**

a.k.a.: NAOMI GUZMAN  
D.O.B. [REDACTED]  
ADDRESS: 2227 S 11 ST  
                  OMAHA, NE 68108  
DR. LIC.: H13351868 NE  
AR# CW240168  
RB# T66366  
CMS# CW240168  
JG

The State of Nebraska hereby complains to the Court that NOEMI GUZMAN is alleged to have violated the following laws of the State of Nebraska:

**COUNT 1: 2ND DEGREE ASSAULT CLASS IIA FELONY**

On or about 3 March 2024, in Douglas County, Nebraska, NOEMI GUZMAN did then and there, intentionally or knowingly cause bodily injury to OCTAVIO GUZMAN with a dangerous instrument, or recklessly cause serious bodily injury to OCTAVIO GUZMAN with a dangerous instrument in violation of Neb. Rev. Stat. §28-309 (1)(a) a Class IIA Felony.

20562  
28-309

**COUNT 2: ARSON FIRST DEGREE Class II Felony**

On or about 3 March 2024, in Douglas County, Nebraska, NOEMI GUZMAN did then and there intentionally damage a building or property contained within a building by starting a fire or causing an explosion when another person is present in the building at the time and either: the actor knows that fact, or the circumstances are such as to render the presence of a person therein a reasonable probability or, start a fire or cause an explosion during the perpetration of any robbery, burglary, or felony criminal mischief when another person is present in the building at the time and either: the actor knows that fact, or the circumstances are such as to render the presence of a person therein a reasonable probability in violation of Neb. Rev. Stat. §28-502 a Class II Felony.

21005  
28-502

**COUNT 3: BURGLARY CLASS IIA FELONY**

On or about 3 March 2024, in Douglas County, Nebraska, NOEMI GUZMAN did then and there willfully, maliciously, and forcibly break and enter into a building located at 1334 S. 9TH ST, with intent to commit a felony or with the intent to steal property of any value in violation of Neb. Rev. Stat. §28-507 a Class IIA Felony. 10624 28-507

**COUNT 4: CRIMINAL MISCHIEF \$5000 OR MORE CLASS IV FELONY**

On or about 3 March 2024, in Douglas County, Nebraska, NOEMI GUZMAN did then and there intentionally or recklessly damage the property of ST. FRANCIS CABRINI CHURCH, DAMIEN ZUERLEIN; or intentionally tamper with property of ST. FRANCIS CABRINI CHURCH, DAMIEN ZUERLEIN so as to endanger person or property; or intentionally or maliciously cause ST. FRANCIS CABRINI CHURCH, DAMIEN ZUERLEIN to suffer pecuniary loss by deception or threat causing a pecuniary loss of five thousand dollars or more, or a substantial interruption or impairment of public communication, transportation, supply of water, gas, or power or other public service in violation of Neb. Rev. Stat. §28-519(1) & (2), a Class IV Felony.

21571  
28-519(2)

I, RYAN M. LINDBERG, Deputy County Attorney, allege that this Criminal Complaint is true based upon my information and belief.



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RYAN M. LINDBERG, # 23656  
Deputy County Attorney

Witnesses for the State:  
JOHN H LOPEZ #1955  
OCTAVIO GUZMAN  
DAMIAN ZUERLEIN