

IN THE DISTRICT COURT OF SALINE COUNTY, NEBRASKA

STATE OF NEBRASKA,	)	Case No. CR18-37
)	
Plaintiff,	)	MOTION FOR LEAVE TO AMEND
	)	INFORMATION
vs.)	
)	
AUBREY C. TRAIL,)	
)	
Defendant.)	
)	
)	

COMES NOW Sandra J. Allen, Special Deputy Saline County Attorney, and respectfully asks leave to file an Amended Information. A copy of the Amended Information is attached hereto and incorporated by reference.

STATE OF NEBRASKA, Plaintiff

By: /s/Sandra J. Allen, #22318
Sandra J. Allen, #22318
Special Deputy Saline County Attorney
2115 State Capitol
Lincoln, NE 68509
402-471-2682

CERTIFICATE OF SERVICE

The undersigned certifies and a true and accurate copy of the foregoing was served upon the defendant via Supreme Court efilng system to the defendant's attorney of record, Benjamin H. Murray, (email: ben@gmilaw.com) and Joseph H. Murray (email: joemurray@gmilaw.com) 147 North 4th Street, P.O. Box 87, Hebron, Nebraska 68370, on this 1st day of March, 2019.

/s/Sandra J. Allen, #22318
Sandra J. Allen
Special Deputy Saline County Attorney

IN THE DISTRICT COURT OF SALINE COUNTY, NEBRASKA

THE STATE OF NEBRASKA,	)	Case No. CR18-37
)	
	)	AMENDED INFORMATION
Plaintiff,)	
	)	I. Murder in the First Degree
	)	Neb. Rev. Stat. § 28-303 (1)(a)
	)	Class I Felony
)	
	)	Penalty: <i>Neb. Rev. Stat. § 28-303;</i>
	)	§§ 29-2519 to 29-2524
v.)	
	)	II. Improper Disposal
	)	Human Skeletal Remains
AUBREY C. TRAIL,	)	Neb. Rev. Stat.
	)	§28-1301(2)(b)
Address: Saline County Jail	)	Class IV Felony
911 South Main Street)	
P.O. Box 911	)	Penalty: <i>Neb. Rev. Stat. § 28-1301(4)</i>
Wilber, NE 68465)	
DOB: 09/07/1966	)	III. Criminal Conspiracy to Commit
W/M	)	First Degree Murder
	)	Neb. Rev. Stat. § 28-202
Defendant,	)	Class II Felony
)	
	)	Penalty: <i>Neb. Rev. Stat. § 28-202(4)</i>

BE IT REMEMBERED, that Sandra J. Allen, Special Deputy Saline County Attorney of Saline County, State of Nebraska, in the First Judicial District, who prosecutes in the name and by the authority of the State of Nebraska, comes here in person into Court and for the State of Nebraska, gives to the Court to understand and be informed that:

COUNT I

on, about, or between the 15th and/or 16th days of November, 2017, in Saline County, Nebraska, AUBREY C. TRAIL did then and there purposely and with deliberate and premeditated malice kill Sydney Loofe,

NOTICE OF AGGRAVATORS

Furthermore, the State hereby provides notice to the Defendant, that at the sentencing phase of the AUBREY C. TRAIL trial on his conviction for this charge of First Degree Murder of Sydney Loofe, the State intends to adduce evidence of the following aggravating circumstances:

- (a) The offender has a substantial prior history of serious assaultive or terrorizing criminal activity;
- (d) The murder manifested exceptional depravity by ordinary standards of morality and intelligence; and

COUNT II

on, about or between the 15th day of November through the 4th day of December, 2017, Aubrey C. TRAIL did then and there knowingly or intentionally throw away or abandon human skeletal remains of Sydney Loofe, in a place other than a regular place for burial, and without issuance of a proper death certificate obtained in accordance with Nebraska statutes;

COUNT III

on or about, or between the 1st day of July through the 30th day of November, 2017, Aubrey C. Trail, with the intent to promote or facilitate the commission of first degree murder did agree with one or more persons that they or one or more of them shall engage in or solicit the conduct or shall cause or solicit the result of first degree murder, and he or another person with whom he conspired committed an overt act in pursuance of the conspiracy, including at least one of the following overt acts:

1. Bailey Boswell solicited young females through social networking sites;
2. Aubrey Trail and Bailey Boswell recruited others to commit murder;
3. Together with Bailey Boswell selected a victim to murder;
4. Together with Bailey Boswell purchased materials used to kill and/or dismember Sydney Loofe;
5. Together with Bailey Boswell disposed of Sydney Loofe's body;

contrary to the form of the Statutes in such cases made and provided, and against the peace and dignity of the State of Nebraska.



Sandra J. Allen, #22318
Special Deputy Saline County Attorney

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

Sandra J. Allen, being first duly sworn upon oath, deposes and says that she is the Special Deputy Saline County Attorney of Saline County, Nebraska, in the First Judicial District of the State of Nebraska, and the allegations and charges against Aubrey C. Trail, in the foregoing Information are true as she verily believes.



Sandra J. Allen, #22318
Special Deputy Saline County Attorney