

STATE OF NEBRASKA }
COUNTY OF MADISON } } ss. SECOND AMENDED INFORMATION

IN THE DISTRICT COURT OF MADISON COUNTY, NEBRASKA

THE STATE OF NEBRASKA,
Plaintiff,

vs.

JESSICA A. BURGESS

Defendant.

- I HUMAN SKELETAL REMAINS
(PROHIBITED ACTS)
Section 28-1301 (2)(A)(B)(C)
Pen Sec 28-1301 (4)
CLASS IV FELONY
- II CONCEALING THE DEATH OF
ANOTHER PERSON
Section 28-1302
Pen Sec 28-1302
CLASS I MISDEMEANOR
- III FALSE INFORMATION
Section 28-907(1)(A)
Pen Sec 28-907(2)(a) and 28-106
CLASS I MISDEMEANOR
- IV ABORTION
Section 28-3,106, 28-105
Pen Sec 28-3,108
CLASS IV FELONY
- V ABORTION BY OTHER THAN
LICENSED PHYSICIAN
Section 28-335(1), 208-105
Pen Sec 28-335(2)
CLASS IV FELONY

Joseph M. Smith, Madison County Attorney of Madison County, Nebraska, on behalf of the State of Nebraska, informs the Court that the defendant, Jessica A. Burgess, on or about the 22nd day of April, 2022 through the 25th day of April, 2022, in Madison County, Nebraska, did knowingly dig up, disinter, remove or carry away from its place of deposit or burial human skeletal remains or burial goods, attempt to do the same, or aid, incite, assist, encourage or procure the same to be done; and/or did knowingly throw away or abandon any such remains

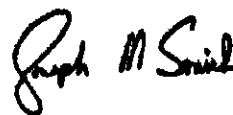
or goods in any place other than a regular place for burial and under a proper death certificate issued under section 38-811 or 71-605; and/or did unlawfully receive, conceal, purchase, sell, transport, trade or dispose of human skeletal remains or burial goods.

Count II: Informant further states that the defendant, Jessica A. Burgess, on or about the 22nd day of April, 2022 through the 25th day of April, 2022, in Madison County, Nebraska, did conceal the death of another person and thereby prevent a determination of the cause or circumstances of death.

Count III: Informant further states that the defendant, Jessica A. Burgess, on or about the 22nd day of April, 2022 through the 29th day of April, 2022, in Madison County, Nebraska, did furnish material information to a peace officer knowing the information was false, with the intent to instigate an investigation of an alleged criminal matter or to impede the investigation of an actual criminal matter.

Count IV: Informant further states that the defendant, Jessica A. Burgess, on or about the 22nd day of April, 2022 through the 29th day of April, 2022, in Madison County, Nebraska, did, perform or induce or attempt to perform or induce an abortion upon a woman when it has been determined, by a physician performing or inducing the abortion or by another physician upon whose determination that physician relies, that the probable postfertilization age of the women's unborn child is twenty or more weeks.

Count V: Informant further states that the defendant, Jessica A. Burgess, on or about the 22nd day of April, 2022 through the 29th day of April, 2022, in Madison County, Nebraska, did perform an abortion when he or she was not a licensed physician contrary to the statutes of the State of Nebraska in such cases made and provided and against the peace and dignity of the State of Nebraska.



Joseph M. Smith, #16374
Madison County Attorney

WITNESSES:

Brandon Adams
Josh Bauermeister
Ashley Dittbernger
David Lichtenberg
INVESTIGATOR Ben McBride
Jesse Pfeifer

Jose Rodriguez

Eric Stone

Todd Volk

James Vrbsky

Certificate of Service

I hereby certify that on Tuesday, July 12, 2022 I provided a true and correct copy of the Amended Information to the following:

Burgess, Jessica, A represented by Ewalt, Bradley Aaron (Bar Number: 23399) service method: Electronic Service to bewalt@ewaltlawoffice.com

Signature: /s/ Joseph M Smith (Bar Number: 16374)