

STATE OF MAINE
KENNEBEC, ss.

UNIFIED CRIMINAL DOCKET
AUGUSTA
DOCKET NO. CD-CR-16-065

STATE OF MAINE

v.

ORDER OF COURT

JESSIE WALLACE,
Defendant

Hearing was had with respect to the Defendant's Motion To Suppress filed 9/14/16. After hearing, the Motion to Suppress is **denied** for the following reasons:

1. On or about December 9, 2015 the Defendant was hospitalized at Maine General Medical Center. Defendant exhibited symptoms that resulted in nursing staff believing Defendant had ingested illegal drugs.

2. A nurse looked into Defendant's purse and observed drugs. The nurse contacted hospital security, who came to Defendant's room. The Defendant, when asked by security if she could show security what was in the purse she was clutching to her chest, removed drugs contained in a bag and money.

3. Hospital security in turn contacted the Augusta Police Department because of concerns there were illegal drugs on the hospital floor. Upon arrival the police were given two "bio-hazard bags" by security that contained the suspected contraband. The material was field-tested and appeared to contain heroin.

4. Defendant was read and invoked her *Miranda* rights. The police asked no questions. Upon confiscating the money Defendant had on her, approximately \$900.00, the Defendant first told the officer the money was her rent money. Defendant then told the officer she had used some of the "rent money" to purchase drugs.

5. The Court finds there was no custodial interrogation, nor was there any law enforcement search performed, and thus there is no evidence that should be suppressed for any reason articulated by defense counsel.

So Ordered.

Date: 12/14/16

BY 
Robert E. Mullen, Deputy Chief Justice
Maine Superior Court