

MLR-ISC # 152-19

1/16/19

STATE OF MAINE

DISTRICT COURT

AUGUSTA

Doc. No. KENCDCR-2018-20822

State of Maine

vs.

ORDER

SEAN BRAWN

Defendant

Notice of the pendency of this matter has been duly and seasonably given according to law. Pending before this Court is the Defendant's Motion To Suppress. The State was represented by Assistant District Attorney Kristin T. Murray-James, Esq. and the Defendant was represented by Darrick X. Banda, Esq. The Court finds as follows:

1. The State through Waterville police officer Locke arrested the Defendant on July 20, 2018. Following the arrest he was taken into custody at the Waterville Police Department. At the Waterville Police Department Defendant was booked. The officer also attempted to have the Defendant take the intoxilizer test. The officer also had conversations with the Defendant concerning the booking information, the implied consent reading and form, and the fact that the Defendant was under arrest.
2. The Court has reviewed the entire taped arrest and custody event at the police station. The officer's questioning and conversation sought only standard booking and administrative procedure information. At no point did the Court hear any questioning of the Defendant by the police officer of the actual events of an investigatory nature. The entire conversational period involved administrative related issues. Further, none of these administrative related questions were from the Court's view attempts to elicit incriminating statements. Accordingly, the Court does not find the nature of the questioning to be interrogation.

WHEREFORE, IT IS ORDERED THAT Defendant's Motion To Suppress is denied.

DOCKET ENTRY. Pursuant to Rule 79(a) M.R.Civ.P., the Clerk is directed to make the following docket entry:

Order and Judgment is incorporated into the docket by reference. This entry is made in accordance with Rule 79(a) at the specific direction of the Court.

Dated: January 16, 2019.


JUDGE

Paul D. Matthews

Entered on the docket 1/23/19