

6/11/19

STATE OF MAINE
KENNEBEC, ss

KENNEBEC CRIMINAL DOCKET
LOCATION: AUGUSTA
DOCKET NO: KENCD-CR-19-478

STATE OF MAINE

slip

v. MOTION TO SUPPRESS EVIDENCE

GIBRIL DARBOE

Now comes William Baghdoyan, counsel for Defendant in the above-captioned case and states the following to this Honorable Court:

1. The defendant in the above-captioned case is charged with Aggravated Trafficking in Scheduled Drugs, Class A, Possession of Scheduled Drugs, Class E and Violation of Condition of release, Class E, allegedly occurring on March 1, 2019.
2. The physical evidence in the case was obtained pursuant to a warrantless search of a hotel room in which the defendant had a reasonable expectation of privacy. It was also conducted in the absence of probable cause or exigent circumstances and without consent of the defendant. As such the search was made in violation of the defendant's Fourth Amendment rights under the United States Constitution and Article One Section Five of the Maine Constitution.
3. In addition to physical evidence, statements were taken from the defendant at a time when he was in custody and had not been informed of nor made a waiver of his "Miranda" rights and were thus obtained in violation of his Fifth Amendment rights under the United States Constitution and of Article I Section 6 of the Maine Constitution.

Wherefore, the defendant moves that the Court Suppress all evidence obtained as a result of the search of the defendant's person and hotel room and of his interrogation by police on March 1, 2019 from the trial of this case.

Dated: June 11, 2019

Respectfully Submitted,



William Baghdoyan
Bar # 2497

AUGUSTA COURTS
JUN 12 '19 AM 11:09

After hearing on 6/19, Motion denied - no standing. See US v Aiken, 877 F3d 451 (1st Cir 2017). [Signature] 6/25/19