Team: 109

Case No. 2023-CR-812

IN THE
UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT
OF STETSON
September 1, 2023

THE UNITED STATES OF AMERICA,
Prosecution

v.

JAMIE LAWTON
Defendant

DEFENSE'S MEMORANDUM OF LAW
IN SUPPORT OF DEFENSE'S MOTION TO SUPRESS

TABLE OF CONTENTS

TABLE OF AUTHORITIES

CASES

CONSTITUTIONAL PROVISIONS

INTRODUCTION

Officer Taylor Griffin ("Officer Griffin") illegally entered Jamie Lawton's ("Mr. Lawton") home without a warrant and illegally seized evidence that was not in plain view from Mr. Lawton's home. Mr. Lawton took measures that showed he had a reasonable expectation of privacy in the building where he lived. There was no reason Officer Griffin couldn't obtain a warrant, as there was no imminent threat to public safety; the flight of a misdemeanant is not sufficient to justify a warrantless entry into one's home. Upon entrance, Officer Griffin further committed violations of Mr. Lawton's rights under the Fourth Amendment when he seized evidence not in plain view and without inadvertence, all without a warrant. Considering the totality of the circumstances, this court should find that Mr. Lawton had a reasonable expectation of privacy within his residence, that Officer Griffin lacked exigent circumstances to enter, and that Officer Griffin seized evidence that was not in plain view without a search warrant. Defense counsel respectfully requests that this court grant defense's motion to suppress on the grounds of illegal entry and unlawful search of Mr. Lawton's residence by Officer Griffin.

STATEMENT OF FACTS

On June 8, 2023, in the Middle District of Stetson, Officer Taylor Griffin ("Officer Griffin") was working under the Traffic Enforcement Division.

(Transcript of Grand Jury Proceedings for Taylor Griffin, dated Jul. 6, 2023 ("Griffin") at 16-17). Officer Griffin is passionate about pursuing DUI investigations, particularly because his best friend was killed by a drunk driver in high school. (Griffin at 16).

At or around 16:00, Officer Griffin was traveling southbound on 49th Street when he noticed the Defendant open the door to his truck to "heave" towards the ground. (Griffin at 17, 21-22). The truck was two cars ahead of Officer Griffin. (Griffin at 19). Though Officer Griffin did not see the suspect's face, nor could he tell if the suspect was a man or a woman, Officer Griffin assumed that the person was Kevin James ("James"), an individual who on probation for a past DUI. (Griffin 20, 23, 27). Officer Griffin had seen James six months prior, and the suspect had different hair color and style than James had when Officer Griffin saw him. (Griffin at 22-23). Officer Griffin made his assumption based solely on the fact that he recognized the red Chevy S10 truck as being the same truck James'. (Griffin at 21). In reality, it was Jamie Lawton, ("Mr. Lawton"), who was driving his cousin James' truck. (Sworn Statement of Jamie Lawton, dated Jul. 20, 2023 ("Lawton"), at ¶13, 62).

Officer Griffin followed the red truck and put on his lights to pull the driver over, but he did not turn on his sirens. (Griffin at 26). The driver of the red truck pulled over into an abandoned-looking warehouse, got out, and walked inside.

(Griffin at 28). Officer Griffin got a message from Lieutenant Samy Vann ("Lieutenant Vann"), the head of the narcotics division, instructing him not to go inside the building. (Griffin at 28). Lieutenant Vann communicated to Officer Griffin that at least one person was purporting to live in the building and that the building was under surveillance by the federal DEA task force. (Transcript of Grand Jury Proceedings for Samy Vann, dated Jul. 6, 2023 ("Vann") at 54); (Griffin at 28).

Officer Griffin ignored Lieutenant Vann's instructions and entered the building anyway (Griffin at 28-29). Officer Griffin was concerned that the longer he waited, the more likely it was that the driver's blood alcohol content ("BAC") would drop. (Griffin at 29). On his way into the warehouse, Officer Griffin noticed a "No Trespassing, Private Property" sign. (Griffin at 30). The driver of the truck used a key to unlock the door into the building. (Griffin at 31). Officer Griffin entered the building through an open door and followed voices into an opening. (Griffin at 33). He observed a small kitchen and smelled Spaghetti-O's cooking. (Griffin at 33-34). There was a small bedroom, several items of food, and other household objects inside the warehouse which was Mr. Lawton's home. (Vann at 59); (Lawton at ¶5, 61). He began living there after watching YouTube videos about other people reconstructing abandon warehouses into homes. (Lawton at ¶5, 61). Mr. Lawton had not noticed that he was being followed by Officer Griffin and

thought that he locked the door behind himself when he came inside, like he always did. (Lawton ¶20, 64). Mr. Lawton was in tremendous pain and had not noticed that a police officer was following him on the road, or into the parking lot. (Lawton at ¶17, 63).

Once Officer Griffin encountered Mr. Lawton, he realized that the driver was not James. (Griffin at 34). Mr. Lawton was surprised to see a police officer in his home. (Griffin at 34). Mr. Lawton asked Officer Griffin to leave his home, but Officer Griffin refused. (Griffin at 36). After explaining his pain to Officer Griffin, an ambulance arrived for Mr. Lawton. (Lawton at ¶21, 64); (Griffin at 37). While the EMTs carried out Mr. Lawton, Officer Griffin decided to investigate the warehouse. (Griffin at 37-38). Having noticed that the other person in the warehouse, later identified as Kel Halstead ("Halstead") was looking towards another area of the warehouse, Officer Griffin walked in that direction, using a different path than he had used to enter the warehouse. (Vann at 58); (Griffin at 38-39). Officer Griffin discovered a tarp covering some three-inches thick and four-inch in length container covered in plastic wrap about six to eight feet from his walking path. (Griffin at 39-40). Officer Griffin proceeded to pull back the tarp and seize the unknown package without any gloves on and without taking any photographs of the then unknown object. (Griffin at 40-41).

ARGUMENT

I. MR. LAWTON'S FOURTH AMENDMENT RIGHTS WERE VIOLATED BY THE ILLEGAL ENTRY INTO HIS DWELLING

The Fourth Amendment of the Constitution guarantees the "right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures." U.S. Const. amend. IV. The United States Supreme Court has emphasized that physical entry into the home is the "chief evil" the Fourth Amendment operates to protect against. *Payton v. New York*, 445 U.S. 573, 585 (1980). A person invoking the protection of the Fourth Amendment must demonstrate that they had a reasonable expectation of privacy in the place searched. *Katz v. United States*, 389 U.S. 347, 360 (1967) (Harlan, J., concurring). One has a reasonable expectation of privacy if they demonstrate a subjective expectation of privacy and one that society is willing to accept as reasonable. *Id.* at 361.

It is a "basic principle of Fourth Amendment law" that searches and seizures inside one's living space without a warrant are presumptively unreasonable. *Payton*, 445 U.S. at 586. Law enforcement may enter a dwelling without a warrant *only* if there are exigent circumstances present. *Id.* at 602-03. Exigent circumstances are those which would cause a reasonable person to believe that entry was necessary to prevent physical harm to officers or others, destruction of relevant evidence, or escape of a suspect. *United States v. McConney*, 728 F.2d 1195, 1199 (9th Cir. 1984).

In this case, law enforcement officer Taylor Griffin entered Jamie Lawton's home without a warrant. (Lawton at ¶4, 66). Mr. Lawton took measures to secure his space and privacy, such as posting "No Trespassing" signs, locking his doors, and using the building for regular household activities. (Griffin, at 30). The Drug Intervention unit even conveyed to Officer Griffin that the building was being used as a residence. (Griffin at 28). Furthermore, Officer Griffin did not have sufficient evidence to justify his warrantless entry, as he entered the unit without first ensuring the identity of the suspect. (Griffin at 34).

The totality of the circumstances suggests that Mr. Lawton had a reasonable expectation of privacy in the building and that Officer Griffin did not have probable cause nor were there exigent circumstances that justified entering Mr. Lawton's home. Thus, the warrantless entry into Mr. Lawton's home violated his Fourth Amendment rights. The standard of review for evaluating a denial of a motion to suppress is *de novo*. *United States v. Maestas*, 639 F.3d 1032, 1035 (10th Cir. 2011). We respectfully request that this court grant the motion to suppress.

A. Mr. Lawton Had a Reasonable Expectation of Privacy in the Building in Which He Resided Because He Could Exclude Others and Used the Space for Household Purposes

A search is unreasonable if it violates an individual's reasonable expectations of privacy. *Katz*, 389 U.S. at 361 (Harlan, J., concurring). The Supreme Court considers a totality of the facts and circumstances to establish

whether a person had a subjective expectation of privacy and whether the expectation is one that "society is prepared to recognize as 'reasonable.'" *Id.* In determining whether one has a reasonable expectation of privacy in a certain place, the Supreme Court considers the way a person uses the space and societal understanding of places that deserve privacy protections. *Oliver v. United States*, 466 U.S. 170, 178 (1984). The Court considers whether an individual, by their behavior, has shown that they sought to preserve a space as private. *Smith v. Maryland*, 442 U.S. 735, 740 (1979).

The United States Court of Appeals for the Sixth Circuit found that one may reasonably exclude others from a secluded dwelling space reserved for residents of the home. *United States v. King*, 227 F.3d 732, 750 (6th Cir. 2000). In *United States v. King*, the court held that the resident had a reasonable expectation of privacy in his basement because entry to the basement was limited to family members who lived in the home. *Id.* at 749; *see also Fixel v. Wainwright*, 492 F.2d 480, 484 (5th Cir. 1974) (finding that the defendant enjoyed a legitimate interest of privacy in the backyard of a four-unit apartment dwelling). In *King*, the court based its decision on the fact that the tenant had the right and ability to exclude others from the secluded basement. 227 F.3d at 749. The basement was only accessible through the locked back door or via a hallway on the interior of the home. *Id.* at

748. Thus, this limited access suggested the resident had a reasonable expectation of privacy in the basement of his home. *Id.* at 750.

Nontraditional living arrangements do not invalidate an individual's expectation of privacy when the individual's behavior confers a goal of privacy in the home. *McDonald v. United States*, 335 U.S. 451, 452-53 (1948), *State v. Titus*, 707 So. 2d 706, 708 (Fla. 1998). Given the Fourth Amendment's guiding purpose of preventing government intrusion into the home and the Supreme Court's explicit endorsement of an expectation of privacy within the home, an expectation of privacy is reasonable in commonly shared spaces whose usage and character mimics that of a traditional home. *United States v. Werra*, 638 F.3d 326, 331-32 (1st Cir. 2011). For example, in *Reardon v. Wroan*, the United States Court of Appeals for the Seventh Circuit found that fraternity members had a reasonable expectation of privacy in a shared fraternity residence. 811 F.2d 1025, 1027 (7th Cir. 1987). In *Reardon*, law enforcement entered a fraternity house without a warrant, in search of a burglary suspect. *Id.* at 1026. Law enforcement officers approached and arrested the fraternity member residents while they were watching television. *Id.* The Seventh Circuit found that a fraternity residence is afforded the same reasonable expectation of privacy as that is a traditional home. *Id.* at 1027-28.

Analogously to the defendant in *King*, Mr. Lawton took measures to exclude others from his living space. 227 F.3d at 750. Mr. Lawton always closed the door behind himself and used a deadbolt to ensure security in his home, just as the resident in *King* regularly locked the door to the basement. 227 F.3d at 754; (Aff. Lawton ¶ 20, 64). Like in *King*, where individuals could only enter the basement with an invitation into the home, Mr. Lawton posted a "No Trespassing" sign to ensure the privacy of his space. 227 F.3d at 750; (Griffin at 30-31). Thus, similar to the resident in *King*, Mr. Lawton could reasonably exclude others from the space he used as his home. *See id.*

Like in *Reardon*, where residents lived in a large fraternity house, Mr. Lawton too resided in an untraditional setting. 811 F.2d at 1027; (Griffin at 53). Mr. Lawton adapted the warehouse to meet his living needs, cooked, and invested time and effort to ensure the abandoned warehouse was a livable space. (Griffin at 30-31, 34); (Aff. Lawton, ¶5, 61). Officer Griffin even admitted that he smelled Spaghetti-O's cooking in the kitchen as he made his warrantless entry. (Griffin at 34). Similarly, the fraternity members were watching television at the time that law enforcement entered their living space without a warrant. *Reardon*, 811 F.2d at 1026. Both cooking and watching television are homelike activities that an individual is likely to participate in within the privacy of their home. The less than perfect living conditions do not diminish Mr. Lawton's property interest and the

privacy protections attached thereto. Thus, Mr. Lawton's untraditional living conditions nonetheless guaranteed him a reasonable expectation of privacy within his home.

B. Law Enforcement Lacked Sufficient Exigent Circumstances to Justify Entering Mr. Lawton's Home Without a Warrant

According to the Supreme Court, freedom from an intrusion into the home is an archetype of the privacy protection of the Fourth Amendment. *Payton*, 445 U.S. at 587. Absent exigent circumstances, a warrantless entry is unconstitutional even when a felony has been committed and there is probable cause to believe that incriminating evidence will be uncovered. *Id.* at 590. Courts have cautioned against a checklist type analysis of exigent circumstances and instead consider a totality of the circumstances to determine whether "exceedingly strong privacy interest in one's residence is outweighed by the risk that delay will engender injury, destruction of evidence, or escape." *United States v. Acevedo*, 627 F.2d 68, 70 (7th Cir. 1980).

The Supreme Court ruled that the exigent circumstances exception to home-entry should rarely be sanctioned when the offense in question is relatively minor. *Welsh v. Wisconsin*, 466 U.S. 740, 753 (1984). In *Welsh v. Wisconsin*, law enforcement entered an individual's home in the course of investigating a suspected DUI. *Id.* at 742-43. In *Welsh*, the State attempted to justify the arrest based on the threat to public safety and a need to preserve evidence of the

individual's blood-alcohol content. *Id.* at 753. The Supreme Court found that since the defendant had already arrived at home, there was no threat to public safety, and that a warrantless home arrest could not be upheld simply because evidence of blood-alcohol content might have dissipated while the officer waited to obtain a warrant. *Id.*

In *Lange v. California*, the Supreme Court held that flight of a suspected misdemeanant does not categorically justify a warrantless arrest. 141 S.Ct. 2011, 2016 (2021). In *Lange*, the defendant was driving with his windows down, playing loud music, and repeatedly honking his horn. *Id.* Law enforcement turned on their overhead lights to signal the defendant to pull over, but the individual parked his car and entered the garage of his home. *Id.* The police officer followed the defendant into his garage without a warrant. *Id.* The Supreme Court emphasized that an exigent circumstances analysis is on a case-by-case basis, considering whether an emergency justified the warrantless search in each particular case. *Id.* at 2018.

As in *Welsh*, where law enforcement entered the defendant's home in the course of investigating a suspected DUI, Officer Griffin entered Mr. Lawton's home after observing him opening the door to throw up on the road. 466 U.S. 742-43; (Griffin at 20). Just as the defendant in *Welsh* was no longer a threat after arriving home, Mr. Lawton no longer exhibited a danger to public safety when he

exited his car and entered his home. *See* 466 U.S. 742-32; (Griffin at 30). Thus, like in *Welsh*, the probability that Mr. Lawton's blood alcohol content could have dissipated did not create an emergency sufficient to justify law enforcement's warrantless entry of his home. *See* 466 U.S. 742-32; (Griffin at 29). The fact that Officer Griffin suspected he was chasing James, whom he believed was a fleeing felon, is not of value because Officer Griffin lacked particularity in his determination. *See Illinois v. Gates*, 462 U.S. 213, 231 (1983); (Griffin at 20). Officer Griffin did not identify the suspect by gender, nor did he check the suspect's license plate. (Griffin at 23). Ultimately, Officer Griffin was incorrect in determining the suspect to be James, and no felony DUI offense existed. (Griffin at 34).

Just as in *Lange*, where the defendant entered his garage despite law enforcement having turned on their lights, Officer Griffin turned on his overhead lights, but Mr. Lawton entered his home. 141 S.Ct. at 2016; (Griffin at 30). However, like in *Lange*, no emergency existed that precluded law enforcement from obtaining a warrant before entering the Defendant's residence. 141 S.Ct. at 2016; (Griffin at 30). Therefore, Officer Griffin lacked exigent circumstances to justify entering Mr. Lawton's home without a warrant. (Griffin at 30).

II. LAW ENFORCEMENT UNLAWFULLY SEIZED MR. LAWTON'S PROPERTY WHEN THEY SEARCHED HIS HOME WITHOUT A WARRANT

The warrantless seizure of cocaine was unlawful, as the plain view doctrine was not satisfied due to the concealed nature of the items seized, the lack of risk of destruction of evidence, and the intent of the officer to seize the drugs prior to entering. The plain view doctrine requires that 1) the officer is lawfully in position to observe the item, 2) the incriminating nature of the items is immediately apparent, and 3) the officer has lawful right of access to the item itself. *Horton v. California*, 496 U.S. 128, 136-37 (1990). The plain view doctrine will consider inadvertent discovery, though it is not a necessary element to satisfy a claim. *Id.* at 130.

In this case, Officer Griffin was not lawfully positioned in Mr. Lawton's home when he seized Mr. Halstead's packages. To determine whether an officer was lawfully in a position to observe an item, a court will consider if the officer violated the Fourth Amendment to arrive at the location in question. *Id.* at 136. Courts analyzing this will consider such factors as measures taken to ensure privacy, and use of the space in a manner akin to that of a home.

As was discussed in the argument above, in this case Officer Griffin ignored measures Mr. Lawton had taken to indicate that the space was a private home. (Griffin at 30-32). For example, Mr. Lawton had mounted "No Trespassing" signs and locked his doors. (Griffin at 30). Further, Officer Griffin had information from Lieutenant Vann that the space was a home, including observed use of a kitchen

and sleeping area. (Griffin at 30). Upon warrantless entrance, Officer Griffin violated the Fourth Amendment, and as such, any position taken within the home was unlawful.

Officer Griffin further failed the plain view test and violated Mr. Lawton's rights by seizing items whose incriminating nature were not immediately apparent without manipulation. *Horton*, 496 U.S. 136. In assessing whether an item is immediately apparent, the court inquires as to whether the probative value of the item is certain prior to seizing it. *Coolidge v. New Hampshire*, 403 U.S. 443, 472 (1971). In the case at hand, Officer Griffin was six to eight feet away, and could see three to four inches of plastic wrap, with the remainder of the item covered by a tarp. (Griffin at 39-40). As such, the package seized fails the immediately apparent test.

To determine if an officer had lawful right of access to the item itself, the court must assess issue one, presented above, in conjunction with the potentially exigent circumstances. *Horton*, 496 U.S. at 137. Officer Griffin's awareness that Mr. Lawton's home was being actively surveilled invalidates the argument that Officer Griffin was concerned about possible destruction of evidence. (Griffin at 40). Officer Griffin had both the time and opportunity to obtain a warrant, as no compelling exigent circumstances were present.

Further, Officer Griffin lacked inadvertent discovery as a result of his prior knowledge of the investigation on Mr. Lawton's home and entered with the intent of locating the packages ultimately seized. (Griffin at 29). Inadvertent discovery, though not a required element, is intended to ensure that officers receive a warrant in situations for which they anticipate finding incriminating evidence. *Coolidge*, 403 U.S. at 470-71. Here, Officer Griffin entered Mr. Lawton's home without a warrant and intended to find and seize the package. (Griffin at 29). As such, he fails the inadvertent discovery element. Considering these facts and legal standards, the evidence shows that Mr. Lawton's rights were violated when Officer Griffin seized items from his home without a warrant.

A. The Probative Value of Mr. Lawton's Property was not Immediately Apparent Because it was Concealed and Outside of Officer Griffin's Proper Scope

The concealed packages seized by Officer Griffin fail the "immediately apparent" test, as all the officer could see was mere inches of the package, while walking six to eight feet away. (Griffin at 39-40). To determine whether an item is immediately apparent, the court will assess whether the probative value of the item is certain prior to its seizure. *Coolidge,* 403 U.S. at 472. For example, in *Coolidge v. New Hampshire,* an automobile was seized in plain view while officers were executing an invalid arrest warrant, and upon later investigation, gunpowder residue was found inside. *Id.* at 448. The gunpowder residue, which was not

immediately identified as evidence of a crime, was used during trial and ultimately found inadmissible for failing the immediately apparent test. *Id.* at 472-73.

In the case at hand, the package in Mr. Lawton's home was covered by a tarp, with a three-inch wide by four inch long section showing from underneath. (Griffin at 40). The package was located on the side of the room opposite to the door through which EMTs rolled Mr. Lawton, which would require Officer Griffin to turn and walk in a different direction based on his initial position in the room. *Id.* at 33-34. Officer Griffin claims that, while six to eight feet away and walking towards the door opposite to the package, its incriminating nature was immediately apparent. *Id.* at 39-40. Even in light of his claim of recognition, Officer Griffin subsequently chose to change positions to get closer to the package and pull the tarp away to reveal what was underneath. (Halstead at 70). Officer Griffin's actions, in consideration of the distance and concealed nature of the package, indicate that the package's incriminating nature was not immediately apparent, and thus fails the immediately apparent test.

B. Officer Griffin Did Not Have Lawful Access to the Items Seized

Officer Griffin did not have lawful right of access to Mr. Lawton's package, as Officer Griffin was unlawfully located in Mr. Lawton's home, lacking exigent circumstances not only to enter the home, but to seize the item under the destruction of evidence exception. *See* (Issue I); *United States v. Davis*, 690 F.3d

226, 234 (4th Cir. 2012). The lawful right of access test "refers 'to where [the officer] must be to retrieve the item,'" as differentiated from lawful positioning, which refers to the officer's position when he sees the item. *Davis,* 690 F.3d at 234 (*quoting Boone v. Spurgess,* 385 F.3d 923, 928 (6th Cir.2004)). For example, in *Chimel v. California*, a case involving unlawful seizure of household items, the Supreme Court found that although officers were lawfully able to arrest the suspect with an arrest warrant, the officers did not have lawful access to the items seized, as they lacked a search warrant or exigent circumstances to search the suspect's home. 395 U.S. 752, 768 (1969).

In this case, the State fails to prove a valid destruction of evidence claim under exigent circumstances, establishing that not only was Officer Griffin unlawfully positioned, but also lacked lawful access. *See Payton*, 445 U.S. at 587. When considered in conjunction with the lack of probable cause and exigent circumstances to enter the building, it is clear that Officer Griffin did not have lawful access. *Davis,* 690 F.3d at 234. Further, because Officer Griffin knew that Lieutenant Vann was outside the building, there are no grounds to Officer Griffin's supposed fear that Mr. Halstead had the ability to destroy evidence. (Griffin at 40). The presence of law enforcement would have allowed Officer Griffin to call for immediate back up or request a warrant to search the premises.

C. The Officer Did Not Pass Inadvertent Discovery as the Officer Intended to Seize Any Evidence of Drugs

Officer Griffin's seizure of Mr. Lawton's package does not qualify as inadvertent discovery, as Officer Griffin entered with knowledge of and intent to seize the package. The doctrine of inadvertent discovery is intended to prevent turning a valid, limited warrant search into a general, unlimited search. *Coolidge*, 403 U.S. at 470-71. In doing so, inadvertent discovery ensures that warrants are acquired when police are aware of potential evidence, as this awareness means officers have the ability to obtain said warrant. *Id.* While this element is neither sufficient nor required to establish a plain view defense, it is "a characteristic of most legitimate plain-view seizures." *Horton*, 496 U.S. at 128. For example, in cases of hot pursuit or when executing an unrelated arrest, inadvertent discovery is often a factor as police were unaware of the potential for additional incriminating items. *Hester v. United States*, 265 U.S. 57, 58 (1924); *Chimel v. California*, 395 U.S. 752, 768 (1969). In *Coolidge*, the court held that because the police were aware of the seized item's description and location, they had "ample opportunity to obtain a valid warrant." 403 U.S. at 472. As such, their search was not inadvertent. *Id*.

Here, Officer Griffin was told prior to entering Mr. Lawton's home that it was being investigated by the Drug Enforcement Agency for drug use. (Griffin at 128). According to the investigating officer, Lieutenant Vann, the space was being used as a "stash house to move large quantities of cocaine." (Griffin at 28). As a

result of Lieutenant Vann's warning, Officer Griffin felt that "[i]t was important that [he] go in immediately," otherwise, Mr. Lawton "would probably try to get rid of [the incriminating items]." (Griffin at 29). This shows a lack of inadvertent discovery, as Officer Griffin entered with the intent of finding these items. *Id.* This intention informed the conclusions Officer Griffin drew while he unlawfully entered and remained in Mr. Lawton's home. As such, Officer Griffin's actions fail to satisfy inadvertent discovery.

CONCLUSION

For the foregoing reasons, the Defendant, Jamie Lawton, respectfully requests that this Court grant the Defendant's motion to suppress and exclude all evidence seized during the unlawful entry into his home. Mr. Lawton's Fourth Amendment rights were violated because of the (1) illegal entry and the subsequent (2) unlawful search.

Dated: September 1, 2023

Respectfully Submitted,

/s/ Team 109

Attorneys for Defense