

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES OF AMERICA,)	
) Plaintiff,)	
))	
v.)	Criminal No.
))	92-10369-Z
THOMAS A. SHAY and)	
ALFRED W. TRENKLER,)	
) Defendants.)	
_____)	

DEFENDANT'S MOTION TO SUPPRESS EVIDENCE SEIZED
WITHOUT A WARRANT ON NOVEMBER 5-6, 1991

Now comes the Defendant, Alfred Trenkler, and moves this Court to suppress from use in evidence any and all evidence seized or derived from the warrantless searches executed on or about November 5-6, 1991 of the Defendant's 1970 Toyota Celica; his residence, located at 133 Atlantic Street, Quincy; his place of business, located at 82 Broad Street, Weymouth; and a garage located at 7 Whitelawn Avenue, Milton; all areas as to which the Defendant enjoyed a reasonable expectation of privacy.

As grounds therefore, the Defendant says all such evidence was seized:

- a) without the benefit of a lawful search warrant;
- b) in the absence of probable cause;

c) while not in plain view from a vantage point which law enforcement agents had a lawful right to occupy; and

d) in the absence of a valid consent;

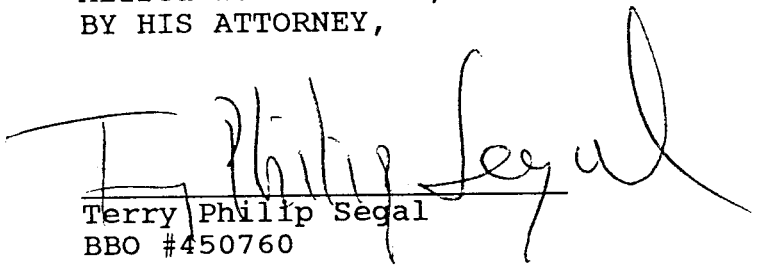
all in violation of the Fourth Amendment to the United States Constitution.

(See also, Affidavits of Alfred W. Trenkler, John Cates, and Martin Cosgrove, Esquire in Support of Motions to Suppress.)

WHEREFORE, Defendant prays his motion be allowed.

Alfred W. Trenkler,
BY HIS ATTORNEY,

2-12-93
Date



Terry Philip Segal
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party by mail (by hand) on 2-12-93.

Terry Philip Segal (ug)