

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Defendant.

**ORDER GRANTING
DEFENDANT'S MOTION TO
SUPPRESS**

Defendant [REDACTED] moves to suppress evidence seized by Michigan State Police ("MSP") troopers and Federal Bureau of Investigation ("FBI") agents at the [REDACTED] Station in Detroit, Michigan on [REDACTED]. Defendant's Motion to Suppress, [REDACTED]

[REDACTED] A federal grand jury returned an indictment charging Defendant with various drug offenses.¹ Defendant makes several arguments in support of his motion to suppress: (1) that the officers had no reasonable suspicion to temporarily detain him; (2) that the officers lacked probable cause to arrest him; and (3) that the warrantless search of his bag violated the Fourth Amendment. He

¹ Defendant is charged with three counts in the Indictment: (1) Conspiracy to Possess with Intent to Distribute and to Distribute Methamphetamine in violation of 21 U.S.C. §§ 841(a)(1) and 846; (2) Possession with Intent to Distribute Methamphetamine in violation of 21 U.S.C. § 841(a)(1); and (3) Possession with Intent to Distribute Fentanyl in violation of 21 U.S.C. § 841(a)(1). Grand Jury Indictment, [REDACTED]

therefore contends that the drugs found in his bag and the statements he made during his custodial interrogation should be excluded as fruits of an unlawful search and seizure. *Id.* at PageID.125. For the reasons that follow, Defendant's motion to suppress evidence is **GRANTED**.

I. BACKGROUND

At approximately 12:55 p.m. on [REDACTED] Defendant arrived at the [REDACTED] ("the Station") in Detroit, Michigan carrying a bag. [REDACTED] Defendant was first spotted by FBI Detective [REDACTED] a member of a team of MSP and FBI officers working a drug interdiction operation, who was stationed in a covert location near the front entrance of the Station. [REDACTED] Hearing Transcript, [REDACTED] saw Defendant, a Black man wearing a yellow construction vest, hurrying into the Station after he exited a vehicle that pulled up to the front door. *Id.* at [REDACTED] [REDACTED] communicated his observations and a description of Defendant to officers inside the Station. *Id.* at PageID.170. From inside the Station, FBI Special Agent [REDACTED] [REDACTED] observed Defendant as he "quickly walked into the bus station carrying a bag and looked around." [REDACTED]

According to [REDACTED] Defendant's "last-minute arrival" increased the officers' suspicion, "as this is a common tactic used by narcotics traffickers to limit their time to be observed by law enforcement." *Id.* Consistent with security video footage presented at the evidentiary

between challenged evidence and the constitutional violation is remote or attenuated.”).

Because the officers violated Defendant’s Fourth Amendment rights by searching his bag without a warrant, the drugs found in Defendant’s bag must be suppressed. The Government makes no attempt to argue—nor can it—that the attenuation doctrine supports admission of Defendant’s custodial interrogation statements. As the record demonstrates, Defendant was quickly transported to and questioned at the MSP Detachment after the officers searched Defendant’s bag. No intervening circumstances dissipated the taint from the illegal search. Accordingly, Defendant’s custodial interrogation statements are also inadmissible.

IV. CONCLUSION

Defendant has met his burden to show that the officers violated his Fourth Amendment rights. Therefore, suppression of the evidence in the form of the drugs found in Defendant’s bag and Defendant’s statements made during custodial interrogation is warranted. Defendant’s motion to suppress evidence is **GRANTED**.

The Court sets this matter for trial² to commence on [REDACTED]

IT IS SO ORDERED.

Dated: [REDACTED]

s/ [REDACTED]

UNITED STATES DISTRICT JUDGE

[REDACTED]