

Sample Form 4

MOTION TO SUPPRESS ILLEGALLY SEIZED EVIDENCE

State of Alabama

Case Number

v.

STATE OF ALABAMA
In the _____ Court of
_____ County

Defendant

The defendant, _____, by and through his undersigned attorney, respectfully moves this court to suppress the following evidence seized as a result of a search of (specific building and location) _____

and of his person:

(list items seized)

The defendant lists the following grounds for the above motion:

(1) Defendant was arrested without a warrant and without probable cause in violation of the Fourth Amendment to the United States Constitution.

(2) The issuance of the search warrant was a result of an affidavit based on hearsay evidence, in whole or part, without existence of a substantial basis on believing that there was a factual basis for the information or substantial basis for believing the source of the hearsay to be credible.

3) The search of defendant's premises and person was illegal and all fruits of the search must be suppressed because: _____

(4) (State other reasons the evidence was illegally seized:)

Attorney for Petitioner