

U.S. v. Booker

Decided Jan 23, 2006

Criminal No. 05-313 (JBS).

January 23, 2006

ORDER

JEROME SIMANDLE, District Judge

This matter came before the Court upon motion of Defendant, Christopher Booker, to suppress evidence of statements allegedly made by him to an inmate informant, David Blickley; and

The Court having received testimony and other evidence at hearings upon this motion, together with the written submissions and arguments of counsel; and

The Court having concluded, for reasons to be set forth in its forthcoming written Opinion, that the motion should be granted in part and denied in part as follows:

The motion will be granted and evidence will be suppressed with respect to statements made by Defendant to Blickley pertaining to the crimes charged herein on and after January 25, 2005, as

the Court finds such evidence was gathered in violation of Defendant's Sixth Amendment right to counsel in this case; and

The motion will be denied with respect to statements made by Defendant to Blickley prior to January 25, 2005, the Court finding no such constitutional violation; and *2

The substance of Blickley's testimony in accordance with this determination will be limited to the information given by Blickley to Special Agent Vito Roselli as memorialized in Roselli's report of the interview with Blickley dated January 25, 2005;

WHEREFORE, IT IS this **23rd** day of **January, 2006** hereby

ORDERED that Defendant's motion to suppress evidence of his statements to an inmate informant is **GRANTED IN PART** with respect to such statements on and after January 25, 2005, which evidence is **SUPPRESSED**, and is **DENIED IN PART** with respect to such statements made by Defendant prior to January 25, 2005, which are **NOT SUPPRESSED**. *1