**STATE OF ILLINOIS**

 **IN THE CIRCUIT COURT OF THE 18TH JUDICIAL CIRCUIT**

 **COUNTY OF DU PAGE**

PEOPLE OF THE STATE OF ILLINOIS )

 PLAINTIFF, )

)

) CRIMINAL

VS. ) No.

)

)

 )

 DEFENDANT. )

 **MOTION TO QUASH ARREST AND SUPPRESS PHYSICAL EVIDENCE**

NOW COMES the Defendant, , by his attorney, , and moves the Court to quash the defendant's arrest and states in support thereof as follows:

 1. That on , the Defendant was arrested at .

 2. That no warrant has been issued for his arrest at the time of his arrest.

 3. That police officers had no probable cause or reasonable grounds to believe that the defendant was committing or had committed an offense at the time of his arrest.

 4. That no reasonable grounds existed for the arresting officer to believe that a warrant had been issued for his arrest.

 5. That the arrest of the Defendant was made without the authority of a valid search or arrest warrant.

 6. That during the stop, detention and subsequent arrest, the police and prosecution became aware of the existence of evidence, (field test observations, statements and the results of a breath test) which the prosecution intends to employ in the prosecution of this case.

WHEREFORE, the defendant respectfully prays that his arrest be quashed because of the absence of authority or probable cause to effect it, and suppress from introduction into evidence in this cause the following:

A. The physical observations of the Defendant at the time of and after the stop and arrest;

B. Statements, utterances, reports of gestures, visual observations and responses by Defendant during the detention following the arrest, including the results of a breath test; and

C. All other knowledge and the fruits thereof, witnesses, statements, whether written, oral or gestural, and physical evidence which is the direct or indirect product of the arrest.

, Defendant

By\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 , His Attorney