**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 SUPPRESS PHYSICAL EVIDENCE**

NOW COMES the Defendant, , by his attorney, and moves the Court to suppress as evidence herein certain physical evidence seized from the defendant's at the time of, or subsequent to his arrest in the above entitled cause. In support of said motion, defendant states as follows:

1. That on or about , the defendant was arrested by .

2. That the detention, the arrest, and seizure of the defendant was without probable cause, without warrant, without consent and, therefore, illegal.

3. That subsequent to said arrest the aforesaid Police Officers, without probable cause, without warrant, and without consent, searched the defendant's , which was also an illegal act.

4. As a result of such arrest, detention, and search and seizure from the defendant's , certain evidence that the State intends to use as evidence in this trial was taken from the defendant's , to-wit: .

5. That said seizure of such evidence was a direct result of an illegal arrest and detention and subsequent illegal search and seizure of defendant's .

6. That said arrest, detention, and seizure of the defendant's was obtained in violation of the defendant's rights secured by the Constitution of the United States under the Fourth, Fifth, Sixth, and Fourteenth Amendments and Article I, Sections Two, Six, and Ten of the Constitution of the State of Illinois.

WHEREFORE, the defendant respectfully prays that any and all physical evidence obtained as a result of the defendant's arrest, detention, and seizure be suppressed as evidence and that no evidence be heard nor any evidence procured as a result of such arrest be used during the trial or hearing of this cause.

, Defendant

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

, His Attorney