**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 STATEMENTS**

NOW COMES the Defendant, , by Defendant's attorney, , and moves this Court to suppress as evidence herein any and all confessions, statements, admissions, whether inculpatory or exculpatory, and whether written or oral, made by the Defendant prior, at the time of, or subsequent to Defendant's arrest in the above-entitled cause. In support of this motion, Defendant states as follows:

1. That the Defendant was arrested on .

2. That prior to the Defendant's interrogation at about the time of the Defendant's arrest, prior to the Defendant's arrest, and subsequent to the Defendant's arrest, the Defendant was not:

a) Informed that he had a right to remain silent;

b) Informed that anything he might say or do could be used against him in Court;

c) Informed that he had a right to consult with a lawyer;

d) Informed that he had a right to have a lawyer present with him during the interrogation; and

e) Informed that, if he was indigent, he would nonetheless be provided with a lawyer by the State to be present during him interrogation.

3. That any and all confessions, statements, admissions, or tests executed by the Defendant at the time of, prior to and after Defendant's formal arrest were, therefore, elicited in violation of the Defendant's constitutional rights under the Fourth, Fifth, Sixth and Fourteenth Amendments to the Constitution of the United States.

4. That the Defendant was denied his right to counsel, in violation of his constitutional rights under the Fifth, Sixth and Fourteenth Amendments to the Constitution of the United States and the Eighth and Tenth Amendments to the Constitution of the State of Illinois.

5. That the Defendant did not knowingly and intelligently waive his constitutional rights under the Fourth, Fifth, Sixth and Fourteenth Amendments to the Constitution of the United States.

6. That the above arrest was effected without warrant or probable cause by the Police Officer to believe that the Defendant has committed a crime and that said subsequent detention of the Defendant was a period of illegal detention during which the Defendant was questioned.

7. That the Defendant further states that any statement or confessions or test elicited from him was the direct result of mental coercion, promises, or threats, and was, therefore, involuntary.

WHEREFORE, the Defendant asks that this Court suppress as evidence herein any and all confessions, statements, admissions, or tests, inculpatory or exculpatory, made by him at about the time of and subsequent to his formal arrest.

, Defendant

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

 , his attorney