

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
UNITED STATES OF AMERICA,	)	
Plaintiff,	)	
	)	
v.	)	Criminal No.
	)	92-10369-Z
THOMAS A. SHAY and	)	
ALFRED W. TRENKLER,	)	
Defendants.	)	
_____	)	

DEFENDANT'S MOTION TO SUPPRESS EVIDENCE DERIVED FROM SEARCH OF THE BASEMENT APARTMENT, LOCATED AT 133 ATLANTIC STREET, QUINCY, MA, PURSUANT TO WARRANT

Now comes the Defendant, Alfred Trenkler, and moves this Court to suppress from use in evidence any and all evidence seized or derived from the search pursuant to warrant, of the basement apartment, located at 133 Atlantic Street, Quincy, MA, an area as to which the Defendant enjoyed a reasonable expectation of privacy.

As grounds therefore, the Defendant says there were deliberate and material misrepresentations of fact in the affidavit upon which the Magistrate-Judge relied in issuing the warrant. (See also, Affidavits of Alfred W. Trenkler, John Cates, and Martin Cosgrove, Esquire in Support of Motions to Suppress.)

The Defendant further says that in the absence of the material misrepresentations, the affidavit is insufficient as a matter of law to establish probable cause for the issuance of the warrant.

WHEREFORE, Defendant prays his motion be allowed.

Alfred W. Trenkler,  
BY HIS ATTORNEY,

2/12/93  
Date

Terry Philip Segal  
Terry Philip Segal  
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210 Commercial Street  
Boston, MA 02109  
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party by mail (~~by hand~~) on 2/12/93

Terry Philip Segal