

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal Case No. CR 20-104 (NEB/TNL)

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
MATTHEW LEE RUPERT,)
)
Defendant.)

**MOTION TO SUPPRESS EVIDENCE
SEIZED PURSUANT TO
SEARCH WARRANTS**

PLEASE TAKE NOTICE that Defendant Matthew Lee Rupert, through undersigned counsel, respectfully moves the Court pursuant to Rule 12, Federal Rules of Criminal Procedure, the Fourth Amendment, and other authority, for an Order to suppress any evidence obtained as a result of the execution of search warrants by government agents, including but not necessarily limited to search warrants for Mr. Rupert's home, vehicles, mobile phones, and facebook account. The grounds for this Motion are as follows:

1. The search warrants were all obtained through telephonic or electronic means. Upon information and belief, there was a failure to create a record as required by Fed. R. Crim. P. 4.1(b), including but not limited to the taking of testimony under oath, the acknowledgment of the attestation in writing on the affidavit (as to the Facebook Warrant issued in the District of Minnesota), a verbatim record of any additional testimony, and the filing of any exhibits.

2. Government agents violated Mr. Rupert's Fourth Amendment rights by seizing property not authorized under the search warrant and was not evidence of criminal activity, including but not limited to plants, posters containing political statements that are protected speech under the First Amendment, computer equipment, rental agreement, glass jars, storage items, lights, recorders, US currency, and other items unrelated to the alleged criminal activity.

3. That the searches, warrant and their execution violated other constitutional and statutory requirements.

This motion is based on all files, records, proceedings, and evidence to be taken at the hearing on this motion.

Dated: July 5, 2020

LAW OFFICE OF JORDAN S. KUSHNER

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