

STATE OF INDIANA)
) SS:
COUNTY OF HANCOCK)

IN THE HANCOCK SUPERIOR COURT 2

CAUSE NO. 30D02-1708-CM-1602

STATE OF INDIANA)
)
VS.)
)
CAROL POPE)

FILED
IN HANCOCK SUPERIOR COURT No. 2

FEB 20 2018

Marisa R Moore
CLERK

ORDER GRANTING MOTION TO SUPPRESS

The Defendant's Motion to Suppress having been heard on February 8, 2018 and the Court being duly advised now FINDS the following:

- 1) A Search Warrant was issued on July 11, 2017 that resulted in the seizure of a number of animals from the residence of the Defendant, Carol Pope.
- 2) The Search Warrant Affidavit failed to allege unlawful conduct.
- 3) The Search Warrant Affidavit contained numerous errors of law and fact.
- 4) The Good Faith Exception does not apply due to the inadequacies of the Search Warrant Affidavit.
- 5) The Search Warrant Affidavit in this cause does not comply with Article I Section 11 of the Indiana Constitution.
- 6) The Search Warrant Affidavit in this court does not comply with the Fourth Amendment of the United States Constitution.
- 7) All evidence obtained as a result of the execution of the Search Warrant in this cause is hereby suppressed.

8) This matter shall be scheduled for a Pretrial Conference on February 26, 2018 at
9:00 a.m.

So ORDERED this 20th day of FEBRUARY, 2018.



Dan E. Marshall, Judge
Hancock Superior Court 2

Distribution to:

Hancock County Prosecutor
Defendant
Defense Counsel