

SUPERIOR COURT
OF THE
STATE OF DELAWARE

T. HENLEY GRAVES
RESIDENT JUDGE

SUSSEX COUNTY COURTHOUSE
ONE THE CIRCLE, SUITE 2
GEORGETOWN, DE 19947

June 26, 2009

Dean C. Johnson, Esquire
Office of the Public Defender
14 The Circle, 2nd Floor
Georgetown, DE 19947

Donald R. Bucklin, Esquire
Department of Justice
114 East Market Street
Georgetown, DE 19947

RE: Gerome Long - Defendant ID No. 0903009575

Dear Mr. Johnson and Mr. Bucklin:

I have had the opportunity to review the affidavit in support of the search warrant concerning the arrest of Gerome Long. While the Motion to Suppress encloses an exhibit, the Court is restricted to the four corners of the search warrant alone. I also note that Exhibit A is not inconsistent with the contents of the affidavit in that Exhibit A is a business license for a rental property for the subject property. The business license notes that it is a rental property located at 20669 Savannah Road and that Linda Long had the license issued to her. The affidavit notes that the residence is a single family dwelling and is registered to Linda Long.

In looking to the affidavit itself, I am satisfied that probable cause to issue a search warrant has been established within the four corners of the affidavit itself. Much of the information is stale, but the warrant executed on March 13, 2009 was based on controlled buys made in the last two weeks of February and during the first week of March. The affidavit establishes probable cause to believe that illegal drug sales were transpiring at 20669 Savannah Road by both the Defendant and perhaps others. Since the sales are taking place at the property, it is reasonable to infer that the illegal contraband and evidence of the sales would be found at the property.

On the totality of the circumstances, I find that the search warrant is valid and establishes probable cause to search the property.

The issue of the nexus between Gerome Long and what was found at the property is a matter for the trier of fact, not grounds for suppressing what was located at the property.

Defendant's Motion for Suppression of the evidence seized arising out of the execution of the search warrant is denied.

IT IS SO ORDERED.

Yours very truly,

/s/ T. Henley Graves

T. Henley Graves

baj

cc: Prothonotary