

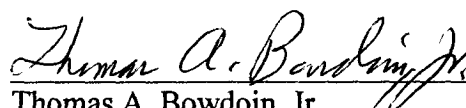
prior to interrogating a suspect in his own bedroom (or home) if it appears he is not free to go where he pleases. Orozco v. Texas, 394 U.S. 324, 89 S.Ct. 1095, 22 L.Ed.2d 311; United States v. Dickerson, 413 F.2d 1111 (7th Cir. 1969). The Court doubted that the defendant really would feel free to walk out on the agents, and there are innumerable factors which act on defendant's mind compelling him to "cooperate" with the federal authorities if the government argues absence of custodial detention. United States v. Dickerson, supra.

Again, any and all evidence obtained by the search and seizure of the forfeiture enforcement and interrogation of Defendant must be excluded and suppressed in this forfeiture action and any subsequent civil and/or criminal prosecution hereafter on the following grounds:

- 1.) Defendant was refused the right to have counsel present at the interrogation. The interrogation should have been immediately terminated.
- 2.) The Defendant was in a freedomless, quasi-custody situation that would be an equivalent to a custodial interrogation.
- 3.) The Defendant was not warned that a civil and criminal investigation was being conducted.
- 4.) No Miranda warnings were given to the Defendant.
- 5.) The agents used coercion warnings and intimidation to solicit information from the Defendant. The Defendant's rights were violated under the 4th and 5th Amendments to the U.S. Constitution under Miranda v. State of Arizona, 384 U.S. 436, 86 S.Ct. 1602 (1966).

IT IS THEREFORE Prayed that this Motion to Exclude and Suppress any and all evidence from the illegal forfeiture action and interrogation of Defendant be granted.

Respectfully submitted,



Thomas A. Bowdoin, Jr.

Defendant – Pro se

8 Gilcrease Lane

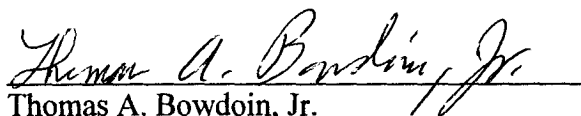
Quincy, Florida 32351

(850) 363-9602

Verification

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

2/25/09
Date

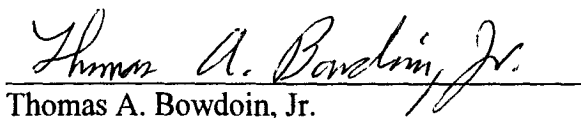

Thomas A. Bowdoin, Jr.

Certificate of Service

The undersigned certifies that a true copy of the enclosed Motion to Exclude and Suppress Evidence Obtained in Forfeiture Action was mailed on the 25 day of February, 2009 upon the following:

William Cowden, Assistant U.S. Attorney
Chief Asset Forfeiture Unit
555 4th St. N.W.
Washington, D.C. 20001

Jeffrey Taylor, U.S. Attorney
United States Attorney's Office
555 4th St., N.W.
Washington, D.C. 20001


Thomas A. Bowdoin, Jr.