

## SUPPRESSION MOTION GRANTED IN MAJOR FRAUDS CASE

(Inglewood, California)

May 6, 2002

People vs. Wright Case No. BA215668

Today in Department O of the Los Angeles Superior Court, the court heard testimony and argument to suppress evidence that resulted from an arrest of a defendant which led to a search incident to that arrest which led to two search warrants being issued as a result of that search.

In the case of People vs. Wright, the defense filed a comprehensive suppression motion. Mr. Wright, who was enjoying both a presumption of innocence as well as factual innocence was somehow wrongly implicated in a million dollar internet fraud ring. The case is specially assigned to a very competent member of the Los Angeles District Attorney's Office. On August 12, 1999, the defendant was arrested in this case. Prior to August 12, 1999, Officer Hardiman, the arresting officer, had never seen Mr. Wright. Mr. Hardiman also had no prior knowledge about the type of vehicle Mr. Wright drove. The description Mr. Hardiman was armed with prior to arresting Mr. Wright was that a "chubby black male in his thirties" was the one who helped one of the perpetrator's load boxes in a car. Mr. Hardiman also knew the suspect drove a dark blue Lincoln Navigator. Prior to arresting Mr. Wright on August 12, 1999, his name never came up in the investigation. Mr. Wright was also driving a different color car than the one described to him by Mr. Bryant, a cooperating witness. The only nexus Mr. Wright had with Ms. Mclain, the co-defendant, at the time of Mr. Wright's arrest was that they apparently had children together. Mr Wright was not doing anything illegal while he was picking up his children at Ms. Mclain's residence. The information Mr. Hardiman discovered on Mr. Wright was used to get the search warrant. The search warrant recovered a lot of evidence of fraud that the People were trying to implicate Mr. Wright with.

The defense filed a motion to suppress the entire evidence pool as a result of the initial arrest. All black men who drive Lincoln Navigators would be subject to the "training" of the arresting officer.

Fortunately for the 4th Amendment and the defendant, the court didn't agree that were enough articulable facts to warrant Mr. Wright's arrest and subsequent booking search. Mr. Wright's initial bail was \$283,000.00 but Mr. Richards, his attorney, convinced the court with the help of the People to allow Mr. Wright to be on his own recognizance pending the final disposition in this matter.

The court granted the suppression motion. The excising of the tainted evidence will leave very little fruit for the People to use in this case. The court, having the courage to not encourage arrests like these once again reaffirms the principle of an independent judiciary.

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