

**NO. 45576CR**

<b>STATE OF TEXAS</b>	<b>§</b>	<b>IN THE DISTRICT COURT</b>
<b>vs.</b>	<b>§</b>	<b>443rd JUDICIAL DISTRICT</b>
<b>JOHN ERIC ARMSTRONG</b>	<b>§</b>	<b>ELLIS COUNTY, TEXAS</b>

**MOTION TO SUPPRESS**

**TO THE HONORABLE JUDGE OF SAID COURT:**

Now comes JOHN ERIC ARMSTRONG, Defendant, and files this Motion to Suppress and shows the following:

1. Defendant has been charged with the offense of Stalking.
2. The actions of the Ellis County Sheriff's Office violated the constitutional and statutory rights of the Defendant under the Fourth, Fifth, Sixth and Fourteenth Amendments to the United States Constitution, Article I, Section 9 of the Texas Constitution, and under Article 38.23 of the Texas Code of Criminal Procedure.
3. JOHN ERIC ARMSTRONG was arrested without lawful warrant, probable cause or other lawful authority in violation of the rights of JOHN ERIC ARMSTRONG pursuant to the Fourth, Fifth, Sixth, and Fourteenth Amendments to the United States Constitution, Article I, Sections 9, 10 and 19 of the Constitution of the State of Texas.
4. Therefore, Defendant requests that the following matters be suppressed at trial of this cause:
  - a. The arrest of JOHN ERIC ARMSTRONG at the time and place in question and any and all evidence which relates to the arrest, and any testimony by the Ellis County Sheriff's Office or any other law enforcement officers or others concerning

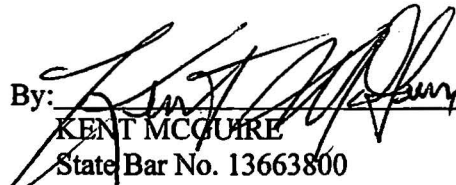
any action of JOHN ERIC ARMSTRONG while in detention or under arrest in connection with this case.

b. Any other matters that the Court finds should be suppressed upon hearing of this motion.

**WHEREFORE, PREMISES CONSIDERED,** Defendant prays that the Court suppress such matters at trial of this cause, and for such other and further relief in connection therewith that is proper.

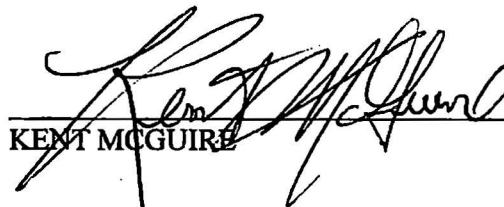
Respectfully submitted,

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Attorney for JOHN ERIC ARMSTRONG

**CERTIFICATE OF SERVICE**

This is to certify that on 6/2/2020, a true and correct copy of the above and foregoing document was served on the District Attorney's Office, Ellis County, through the Electronic Filing Manager.

  
KENT MCGUIRE

**ORDER FOR A SETTING**

On \_\_\_\_\_, 2020, the Defendant filed a Motion to Suppress.

The Court finds that the party is entitled to a hearing on this matter, and it is THEREFORE ORDERED that a hearing on this motion is set for \_\_\_\_\_, at \_\_\_\_\_.

Signed on \_\_\_\_\_.

\_\_\_\_\_  
JUDGE PRESIDING

NO. 45576CR

STATE OF TEXAS

vs.

JOHN ERIC ARMSTRONG

§ IN THE DISTRICT COURT

§

§ 443rd JUDICIAL DISTRICT

§

§ ELLIS COUNTY, TEXAS

**ORDER**

On \_\_\_\_\_, 2020, came on to be considered JOHN ERIC ARMSTRONG'S  
Motion to Suppress, and said motion is hereby

(Granted) (Denied)

\_\_\_\_\_  
JUDGE PRESIDING