



GAN DEFENDERS BLOG

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MONDAY, MAY 24, 2010

[CJA Panel Attorney Victorious in Motion to Suppress Evidence From Alleged Consent Search](#)

On May 17, 2010 **Thomas Wooldridge**, a Northern District of Georgia CJA panel attorney, earned a dismissal for his client on all charges! The Government had alleged Mr. Lara-Gonzalez (United States v. Lara-Gonzalez, 1:09-CR-510), was involved in a major drug conspiracy and possessed weapons to further that conspiracy. However, the Government's case against Mr. Lara depended substantially on evidence seized pursuant to an alleged consent search. **Mr. Wooldridge challenged the evidence at a suppression hearing held in this district and then followed with extensive briefing.** A Report and Recommendation recommending suppression of the evidence followed.

In the [Report and Recommendation](#), the Magistrate Judge explained:

The agents' persistence in approaching and knocking on the door with visible weapons would communicate to a reasonable occupant, and did communicate to Defendant Ignacio, that he was not free to ignore the officers. These and the other coercive elements weigh against a finding of voluntary consent. ...

Considering the totality of the evidence, including Defendant Ignacio's testimony, I find that the circumstances here were more indicative of submission to a claim of lawful authority than to a voluntary consent.

The Magistrate Judge recommended suppression of the evidence found in the search and the statement made by Mr. Lara-Gonzalez. Afterwards, the government dismissed. Mr. Lara-Gonzalez will still be deported, but no longer has to worry about spending the next 20 years in prison.

Congratulations and great work, Thomas!

- RCS