

CRIMINAL DISTRICT COURT

PARISH OF ORLEANS

STATE OF LOUISIANA

STATE OF LOUISIANA

NO. 123-456

VERSUS

SECTION "Z"

JOHN DOE

**Probable Cause Hearing  
Motion to Suppress Evidence**

Testimony and Notes of Evidence, taken  
in the above-entitled and -numbered cause, before the  
**HON. JOHN JUSTICE**, Judge, presiding on the 7th day of  
May, 2014.

APPEARANCES:

REPRESENTING THE STATE OF LOUISIANA:

**JANE SMITH, ESQ.**  
ASSISTANT DISTRICT ATTORNEY

REPRESENTING THE DEFENDANT:

**MARY JANE, ESQ.**  
ORLEANS PUBLIC DEFENDERS

REPORTED BY:

**JOE REPORTER, CCR, RPR**  
OFFICIAL COURT REPORTER  
IN AND FOR THE PARISH OF ORLEANS  
STATE OF LOUISIANA

**WITNESS INDEX**

PAGE

STATE WITNESS:

**DETECTIVE PETER PAUL**

Direct Examination by Ms. Smith

Cross-Examination by Ms. Jane

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**EXHIBIT INDEX**

OFR'D      REC'D

STATE:

S-1      Crime Lab

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S-2      Conviction

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1           **MS. SMITH:**

2                         Your Honor, the State is ready to  
3                         proceed with motions in John Doe.

4           **MS. JANE:**

5                         Your Honor, Mary Jane on behalf of John  
6                         Doe.

7           **THE COURT:**

8                         This is the matter of the *State versus*  
9                         *John Doe.*

10          **MS. JANE:**

11                        Yes. Mr. Doe is present in court and  
12                        we're ready for motions.

13          **THE COURT:**

14                        Very well. Call your first witness.

15          **MS. SMITH:**

16                        The State calls Officer Peter Paul.

17                                 **OFFICER PETER PAUL,**

18 Parish Police Department, after having been first duly  
19 sworn, did testify as follows:

20   **- DIRECT EXAMINATION -**

21 **BY MS. SMITH:**

22 **Q.**     Could you please state your name for the Record?

23 **A.**     Officer Peter Paul.

24 **Q.**     Officer, how are you employed?

25 **A.**     Police officer.

26 **Q.**     Do you see Mr. Doe in court today?

27 **A.**     Yes, right there at the desk in the orange  
28 jumpsuit.

29          **MS. SMITH:**

30                        Please let the Record reflect proper  
31                        in-court identification.

32 **EXAMINATION BY MS. SMITH:**

1 Q. Officer, could you tell the Court in what capacity  
2 you were working February 14, 2014?

3 A. In undercover plain clothes capacity with Eighth  
4 District Narcotics.

5 MS. SMITH:

6 I tender the witness, Judge.

7 - CROSS-EXAMINATION -

8 BY MS. JANE:

9 Q. Officer, you were undercover on February 14, 2014?

10 A. Yes.

11 Q. Would it refresh your recollection if you looked at  
12 your police report?

13 MS. SMITH:

14 Your Honor, I'm going to object. I  
15 don't think it's relevant who did the  
16 physical detention of the defendant.

17 THE COURT:

18 I will permit it. I will overrule.  
19 Would it refresh your recollection,  
20 Officer, if you reviewed the police report?

21 THE WITNESS:

22 Sure, I will take a look.

23 Yes. In the report it says that I  
24 notified him he was under arrest, and read  
25 him his rights per Miranda, and arrested him.

26 MS. JANE:

27 I have no further questions. Thank you.

28 MS. SMITH:

29 The State has no Redirect.

30 THE COURT:

31 Thank you, Officer. You may step down.

32 MS. SMITH:

1                   The State has no further witnesses.  
2                   Judge, at this time we would offer, file and  
3                   introduce S-1 -- for motion purposes only --  
4                   S-1, which is a copy of the crime lab in this  
5                   matter showing that the evidence confiscated  
6                   from the defendant, both the hand-rolled  
7                   cigar and the nine plastic baggies were each  
8                   positive for marijuana; and S-2, a copy of  
9                   the defendant's prior conviction.

10                   **THE COURT:**

11                                   Any objection for motion purposes?

12                   **MS. JANE:**

13                                   Not for motion purposes.

14                   **MS. SMITH:**

15                                   With that, Judge, the State submits.

16                   **THE COURT:**

17                                   Anything by the Defense?

18                   **MS. JANE:**

19                                   No.

20                   **THE COURT:**

21                                   Submitted?

22                   **MS. JANE:**

23                                   I would submit.

24                   **MS. SMITH:**

25                                   The State submits.

26                   **THE COURT:**

27                                   The Court finds probable cause as  
28                   charged. The Court denies the Motion to  
29                   Suppress Evidence. I will note an objection  
30                   on behalf of the Defense to the Court's  
31                   ruling.

32                                   \*           \*           \*           \*           \*

1 REPORTER'S PAGE

2 I, **JOE REPORTER, Certified Court Reporter** in and  
3 for the State of Louisiana, the officer, as defined in  
4 Rule 28 of the Federal Rules of Civil Procedure and/or  
5 Article 1434(B) of the Louisiana Code of Civil  
6 Procedure, before whom this proceeding was taken, do  
7 hereby state on the Record:

8 That due to the interaction in the spontaneous  
9 discourse of this proceeding, dashes (--) have been used  
10 to indicate pauses, changes in thought, and/or  
11 talkovers; that same is the proper method for a Court  
12 Reporter's transcription of proceeding, and that the  
13 dashes (--) do not indicate that words or phrases have  
14 been left out of this transcript;

15 That any words and/or names which could not be  
16 verified through reference material have been denoted  
17 with the phrase "(spelled phonetically)."  
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**JOE REPORTER**  
22 Certified Court Reporter  
23 Registered Professional Reporter  
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