

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

REPORT AND
RECOMMENDATION

THOMAS ALLEN MURRAY,

05-CR-097-S

Defendant.

Defendant Thomas Murray has filed a boilerplate motion to suppress physical evidence. *See* *dk.* 31. Murray has chosen not to brief the motion and the government has seen no need to respond other than to provide the discovery documents narrating how the government executed the searches at which evidence was seized.

In short, Murray has made no showing of entitlement to suppression and the documents suggest no basis for this relief. To the contrary, the searches were reasonable because they were undertaken after agents obtained valid consent and a valid state search warrant. Pursuant to 28 U.S.C. § 636(b)(1)(B) I recommend that this court deny Murray's motion to suppress.

Entered this 5th day of October, 2005.

BY THE COURT:

/s/

STEPHEN L. CROCKER

Magistrate Judge

October 5, 2005

Peter M. Jarosz
Assistant U.S. Attorney
P.O. Box 1585
Madison, WI 53701-1585

Craig E. Cascarano
Cascarano Law Office
150 South Fifth Street, Suite 3260
Minneapolis, MN 55402

Re: ___ United States v. Thomas Allen Murray
Case No. 05-CR-097-S

Dear Counsel:

The attached Report and Recommendation has been filed with the court by the United States Magistrate Judge.

The court will delay consideration of the Report in order to give the parties an opportunity to comment on the magistrate judge's recommendations.

In accordance with the provisions set forth in the memorandum of the Clerk of Court for this district which is also enclosed, objections to any portion of the report may be raised by either party on or before October 17, 2005, by filing a memorandum with the court with a copy to opposing counsel.

If no memorandum is received by October 17, 2005, the court will proceed to consider the magistrate judge's Report and Recommendation.

Sincerely,

/s/ S. Vogel for
Connie A. Korth
Secretary to Magistrate Judge Crocker

Enclosures

cc: Honorable John C. Shabaz, District Judge