

NORTH CAROLINA  
\_\_\_\_\_ COUNTY

IN THE GENERAL COURT OF JUSTICE  
DISTRICT COURT DIVISION  
FILE NO.

STATE OF NORTH CAROLINA

**MOTION TO SUPPRESS (GANT)**

v.

\_\_\_\_\_,  
Defendant.

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**NOW COMES** the defendant, by and through his attorney, Marcus E. Hill, and moves to suppress all evidence gathered after the search of his vehicle. In support of said motion, the defendant says as follows:

1. The defendant was arrested and charged with driving while impaired.
2. As a "search incident to arrest" the officer searched the car and found \_\_\_\_\_.
3. Under Arizona v. Gant 129 S.Ct. 1710 (2009) the officer does not have the right to do a search incident to arrest or an inventory search without consent or exigent circumstances.
4. Evidence gathered after an improper search is not admissible.

**WHEREFORE THE DEFENDANT PRAYS THAT THE COURT:**

1. Suppress all evidence gathered after the search.

This is the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
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