

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Criminal Action No.
v.)	10-00320-12-CR-W-DGK
)	
DESHAUN CERUTI,)	
)	
Defendant.)	

ORDER

On August 10, 2011, I held a hearing on defendant's motion to suppress evidence. Although defendant had not mentioned the inventory search exception to the warrant requirement in his motion, the government relied on that exception in its response and a witness was asked by both parties whether the Kansas City, Missouri, Police Department has a towing policy and whether the impoundment of defendant's vehicle complied with that policy. However, no evidence was introduced as to what the Kansas City, Missouri, Police Department's policy is with regard to towing and impounding a vehicle parked in the driveway of the car's registered owner. Because the police department's tow policy is relevant to whether the search of defendant's automobile was lawful, it is

ORDERED that a follow-up suppression hearing is set for 9:30 a.m., Wednesday, September 28, 2011, during which the parties will have an opportunity to supplement the record on this issue if desired.

/s/ Robert E. Larsen
ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
September 19, 2011