

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

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

**MOTION TO SUPPRESS WIRETAP EVIDENCE**

COMES NOW Defendant DeShaun Ceruti, by and through his attorney of record, and hereby moves this Honorable Court to suppress the contents of all intercepted wire communications to which he was a party. The government intercepted these communications pursuant to a series of orders issued under case numbers 09-WT-00014-GAF and 10-WT-00006-GAF on telephone number 816-799-7617 on April 30, 2010 and on telephone number 816-352-7885 on May 27, 2010.

The specific communications that Mr. Ceruti seeks to suppress include all communications to which Mr. Ceruti was a party that were intercepted pursuant to the orders issued on April 30, 2010 and May 27, 2010 and relevant extension orders . The contents of the communications intercepted pursuant to these orders should be suppressed because the affidavits in support of the wiretap applications did not establish that normal investigative procedures had been tried and had failed or reasonably appeared to be unlikely to succeed if tried or to be too dangerous and, further, that the wiretap surveillance was conducted using minimization.

This motion is brought pursuant to 18 U.S.C. § 2518(10)(a) and is based upon the Memorandum of Points and Authorities, all files and records in this case, the files and records in case numbers 09-WT-00014-GAF and 10-WT-00006-GAF, under which all of the wiretap applications, affidavits, and orders were filed; the exhibits filed concurrently under separate cover, and any additional evidence and argument that may be presented to the Court at the hearing on this motion.

Respectfully submitted,

s/Kelly M. Connor-Wilson  
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*Attorney for Defendant*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served upon all counsel of record by CM/ECF this 31<sup>st</sup> day of August, 2012.

s/Kelly M. Connor-Wilson  
Kelly M. Connor-Wilson