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**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF SHOSHONE**

STATE OF IDAHO,

Plaintiff,

V.

MAJORJON ALLEN KAYLOR,

Defendant.

CASE NUMBER CR40-23-0970

MOTION TO SUPPRESS EVIDENCE

COMES NOW, Majorjon Allen Kaylor, by and through his attorney, Christopher D. Schwartz of Schwartz Law, and hereby moves the Court to suppress certain evidence filed in the above-entitled matter. Specifically, Mr. Kaylor seeks suppression of all statements acquired by Sgt. Bilaski after he ordered him to the pavement, and all statements during his interview with Detective Klitch.

This Motion is made on the grounds that law enforcement interrogated Mr. Kaylor while he was in custody without properly administering *Miranda* warnings both at the scene and during his later interview, and the *Miranda* advisement that was subsequently administered mid-interview was both a deliberate law enforcement tactic and objectively ineffective, in violation of Mr.

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Kaylor's constitutional rights under the Fifth and Sixth Amendments of the U.S. Constitution, and Article I, Section 13, of the Idaho State Constitution.

Counsel for Mr. Kaylor requests a hearing be set to present oral argument and evidence in support of said Motion. Requested time is 90 minutes.

DATED this 20 day of October, 2023.

SCHWARTZ LAW, PC



CHRISTOPHER D. SCHWARTZ
ATTORNEY AT LAW

CERTIFICATE OF DELIVERY

I hereby certify that a true and correct copy of the foregoing was personally served by placing a copy of the same as indicated below on this 20th day of October, 2023 addressed to:

Shoshone County Prosecutor: Via iCourt to: prosecutor@co.shoshone.id.us


