

SUPERIOR COURT
OF THE
STATE OF DELAWARE

WILLIAM C. CARPENTER, JR.
JUDGE

NEW CASTLE COUNTY COURTHOUSE
500 NORTH KING STREET, SUITE 10400
WILMINGTON, DE 19801-3733
TELEPHONE (302) 255-0670

January 6, 2015

Daniel McBride, Esquire
Department of Justice
820 N. French Street
Wilmington, DE 19801

Natalie Woloshin, Esquire
Woloshin, Lynch, Natalie & Gagne, P.A.
3200 Concord Pike
P.O. Box 7329
Wilmington, DE 19803

RE: State of Delaware v. Raheem Sanders
ID No. 1311012853B

On Defendant's Motion to Suppress - DENIED

Dear Counsel:

Before the Court is a Motion to Suppress a search warrant issued on November 18, 2013 by the Justice of the Peace Court 20 for the search of the defendant's residence. The parties agreed that a hearing was not necessary and the Motion could be decided by a review of the warrant. The Motion to Suppress was filed on December 2, 2014 and the State's response was filed on December 23, 2014. The case is scheduled for trial on January 27, 2015. After a review of the Motion, the State's response and the warrant that was issued, the Court finds that there was sufficient probable cause and justification for the warrant, and the Motion will be denied.

On November 12, 2013, the Wilmington Police responded to 840 Kirkwood Street in the city of Wilmington in regards to a home invasion at that residence. There were two individuals at the home when the crime occurred and both knew the defendant as “Heem” but were unable to give the police the defendant’s full name. During the incident, the defendant displayed a handgun and took United States currency, prescription medication, a mountain bike and a flat screen television. The victims were able to provide the police a photo of the individual from a social website and an address of 929 Pine Street where they believed the defendant lived. Subsequent investigation led to the identification of “Heem” as Raheem Sanders. A photo of the defendant was obtained and both victims positively identified the defendant from a photo lineup. It was also determined the defendant was on probation, and when the defendant’s probation officer was contacted, he advised the defendant’s listed address in probation and parole records was 929 Pine Street in Wilmington. The investigating officer subsequently did surveillance at the 929 Pine Street address on the date of the warrant and the defendant was present in front of the 929 Pine Street address.

These facts support a reasonable conclusion that the defendant, who was known to both victims, committed an armed robbery on November 12, 2013 and stole merchandise. Based on the information presented by the defendant to his probation officer and also personal observation of the investigating officer, it appeared that the defendant was residing at that location. It would be reasonable to infer that just six days after the robbery, evidence of either the guns used in the robbery or the merchandise stolen would be in the defendant’s residence. As such, clearly the warrant here was justified, and the Motion is hereby DENIED.

Sincerely yours,

/s/ William C. Carpenter, Jr.
Judge William C. Carpenter, Jr.

WCCjr:twp

cc: Prothonotary