

STATE OF NEW HAMPSHIRE

CHESHIRE, SS.

DISTRICT DIVISION  
8<sup>TH</sup> CIRCUIT COURT - KEENE

STATE OF NEW HAMPSHIRE

vs.

IAN FREEMAN

Docket No. 449-2013-CR-00206

**OBJECTION TO MOTION TO SUPPRESS  
ADMINISTRATIVE INSPECTION WARRANT**

NOW COMES, the City of Keene ("City"), by and through its City Attorney, Thomas P. Mullins, Esq., and, submits this objection to Defendant's Motion to Suppress Administrative Inspection Warrant, and in support thereof states as follows:

1. This matter is before the Court on a Local Ordinance Citation/Summons ("Summons") issued by the City against Defendant, owner of real property located at 75 Leverett Street, Keene, New Hampshire.
2. The Summons alleges that Defendant is in violation of City Ordinance Chapter 42, Fire Prevention and Protection, Article IV, Section 95, requiring the installation of AC powered interconnected smoke/carbon monoxide detectors in a rental unit. A copy of the City Ordinance is attached for the Court's convenience.
3. The violation was discovered pursuant to an Administrative Inspection Warrant issued by the District Division 8<sup>th</sup> Circuit Court - Keene on June 13, 2012, and pursuant to RSA 595-B:1, et seq.
4. The Administrative Inspection Warrant was issued under, and in accordance with, all applicable requirements of RSA 595-B, and properly returned to the Court after the completion of the administrative inspection.

5. Accordingly, the requirements of RSA 595-B, having been complied with and completed, no basis exists for the Motion to Suppress Administrative Inspection Warrant and the Motion should be denied.
6. In the alternative, even if the Court were to conclude at this late stage that the Administrative Inspection Warrant was not properly issued or returned, such factor does not constitute a basis for the exclusion of evidence derived from or obtained pursuant to the inspection at the trial on the merits. RSA 595-B:7.

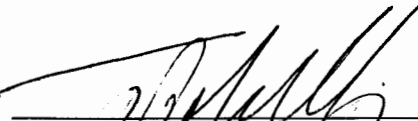
WHEREFORE, the City respectfully requests that the Court:

- A. Deny the Motion to Suppress Administrative Inspection Warrant.
- B. Grant such other and further relief as may be just and necessary.

Respectfully submitted,

CITY OF KEENE  
By Its Attorney,


Dated: February 15, 2013



Thomas P. Mullins, NHBA ID #7919  
3 Washington Street  
Keene, N.H. 03431  
(603) 357-9806

#### CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of February, 2013, I mailed by First Class Mail a true and correct copy of the within Objection to Motion to Suppress Administrative Inspection Warrant, to Ian Freeman, f/k/a Ian Bernard, at 63 Emerald Street, #610, Keene, New Hampshire 03431.

  
Thomas P. Mullins, Esq.