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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT TACOMA

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 JAY MICHAUD,

13 Defendant.

CASE NO. 3:15-cr-05351RJB

ORDER DENYING DISMISSAL
AND EXCLUDING EVIDENCE

14 This matter came before the court on the defendant's Motion to Dismiss the Indictment
15 (Dkt. 178). In supporting briefing, the defendant also suggested an alternative remedy by
16 excluding evidence (Dkt. 210). The court is familiar with the records and files herein and heard
17 oral argument on the motion on May 25, 2016.

18 For the reasons stated orally on the record, evidence of the N.I.T., the search warrant
19 issued based on the N.I.T., and the fruits of that warrant should be excluded and should not be
20 offered in evidence at trial. The court should not now order dismissal.

21 The Motion to Dismiss (Dkt. 178) should be DENIED IN PART and GRANTED IN
22 PART to the foregoing extent.

23 IT IS SO ORDERED.
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1 The Clerk is directed to send uncertified copies of this Order to all counsel of record and
2 to any party appearing *pro se* at said party's last known address.

3 Dated this 25th day of May, 2016.

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6 ROBERT J. BRYAN
United States District Judge

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