

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,                    )  
  )  
  )                    Plaintiff,                    )  
  )  
  )                    v.                                    )                    Criminal Action No. 04-45-KAJ  
  )  
RONALD J. SAGGESE,                            )  
  )  
  )                    Defendant.                    )

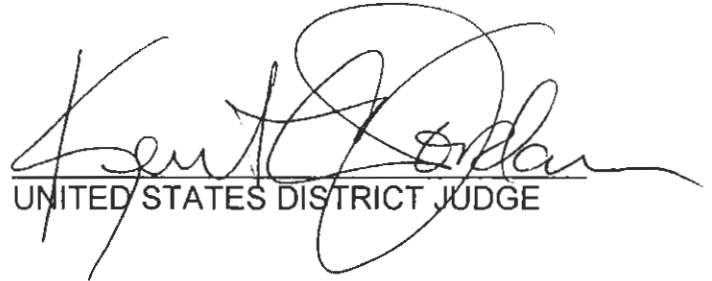
**ORDER**

Before me is a Motion to Suppress (Docket Item ["D.I."] 14; the "Motion") filed by the Defendant, Dr. Ronald J. Saggese. Dr. Saggese has been indicted for tax evasion. (See D.I. 1.) In 1999, upon an application for a search warrant supported by a detailed, sixteen page, single-spaced, 59 paragraph affidavit by an FBI agent, the United States Magistrate Judge for this district issued a search warrant for premises at which business enterprises owned or operated by Dr. Saggese were located. (See D.I. 15 at Ex. A.) Dr. Saggese seeks to suppress the evidence seized as a result of the search, contending that the FBI affiant, Special Agent Jennifer Esposito, included information in the affidavit that she knew was false or was made with reckless disregard for the truth. (See D.I. 15 at 5.)

I have reviewed the warrant and the application for the warrant, including the affidavit. I have also reviewed the briefing submitted on the Motion. The Government has accurately set forth the law and appropriately analyzed the Defendant's arguments regarding the affidavit. Because I agree with the Government's analysis and conclusions (D.I. 20), I will not repeat them here. Suffice it to say that the assertions of

deliberate falsehood or reckless disregard for the truth are unsubstantiated by the record.

Accordingly, it is hereby ORDERED that the Motion (D.I. 14) is DENIED.

  
UNITED STATES DISTRICT JUDGE

April 4, 2005  
Wilmington, Delaware