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State of Texas

VS.

Marvin Louis Guy

Cause No. 79711

In District

Court 27th

Judicial Dis.

Bell Co, Tx

Pre-Trial Motion #15

Challenge the consent on
Miranda violation

Now come the defendant in the above entitled case respectfully move the court to suppress statement made on May 9th 2014 after search incident to arrest on the said date after surrendering - after not resisting and exiting my apartment the officer slammed me to the ground and proceeded to hit me in the back of my head with a blunt object while calling me nigger and saying he was going to kill me. He then placed his weapon inside of my mouth (which would be considered a hate crime) I was in fear for my life. His fellow officer told said officer to calm down and search me. It was at this time said officer pulled down my shorts and underwear and put something inside of my rear (butt) causing great pain.

at some point he was pulled off of me. After this brutality there was no way I could consent to a statement

II

- upon being questioned, I asked for legal counsel. I was not given a "Miranda" warning during or after the course of events. They continued to question me which is a Miranda Violation. When I finally signed the consent form she used trickery & manipulation. It was against my will in signing the consent form. Therefore I pray said statement be suppressed. This is an amendment to pre-trial motion #15. I don't believe this motion has been put on the record & a ruling made on the record of which makes the record "mute" and in this process waiving my issue at appeal.

I have 2 issues with my counsel that I would like to address. (ABA Rule 1.02 and rule 1.03). #1 my counsel has shown bias leaning towards the D.A. They (my counsel) has spoken to me about having fear in going against the DA #2 Counsel refuses a Miranda violation motion