

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

UNITED STATES OF AMERICA

v.

ELAINE A. BROWN

EDWARD LEWIS BROWN

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No. 1:06-CR-71-01/02-SM

**REPLY OF THE UNITED STATES TO DEFENDANT'S NOTICE AND MOTION
FOR COURT ORDER TO SUPPRESS EVIDENCE OBTAINED UNLAWFULLY**

The United States of America, by and through Thomas P. Colantuono, United States Attorney for the District of New Hampshire, hereby replies to the defendants' notice and motion referenced above as follows.

Any property or items seized on May 24, 2006 were seized pursuant to the bail conditions imposed by Judge Muirhead in this case. The United States Attorney's Office and the law enforcement agencies working with it on this case did not seize any evidence from the defendants on May 24, 2006. Any and all seizures made on May 24, 2006 were made by the United States Probation Office or the United States Marshal acting at the direction of Judge Muirhead. Upon information and belief, those agencies seized numerous firearms from the home of the defendants on May 24, 2006, and those firearms are currently in the possession of a third party custodian.

Accordingly, the United States respectfully requests that this Honorable Court:

- A. Deny the defendant's motion; and
- B. Grant such further relief as is just.

Respectfully submitted,

THOMAS P. COLANTUONO
United States Attorney

/s/ Donald Feith
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CERTIFICATE OF SERVICE

I hereby certify that a copy of this pleading has been forwarded by first class mail, postage prepaid, to Ms. Elaine A. Brown and Mr. Edward L. Brown, 401 Center of Town Road, Plainfield, New Hampshire 03301, on November 30, 2006.

/s/ Donald Feith
Donald Feith