

IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF MARYLAND

UNITED STATES

v.

NICHOLAS ROSKE

Defendant

:  
:  
:  
:  
:  
:  
:  
:

Case No. PJM-22-0209

---

MOTION TO SUPPRESS STATEMENTS

Nicholas Roske, through undersigned counsel, hereby moves this Honorable Court pursuant to Rule 12(b)(3) of the Federal Rules of Criminal Procedure to suppress any and all statements, admissions, and confessions (“statements”) allegedly given by Mr. Roske, whether oral, written or otherwise recorded, which the government proposes to use as evidence at trial. In support whereof, Mr. Roske alleges as follows:

1. Mr. Roske is charged in one-count indictment with Attempt to Assassinate a Justice of the United States, in violation of 18 U.S.C. § 351(c).

2. Discovery indicates that Mr. Roske allegedly made certain statements to law enforcement. This motion seeks to exclude all alleged statements which the government may seek to introduce at trial, whether or not such statements are yet known to counsel or are specified herein. However, without limitation, the following alleged statements are specifically at issue: Statements allegedly made by Mr. Roske to law enforcement officials on June 8, 2022, both at the location of his arrest and later at a police station.

3. Mr. Roske is entitled to a hearing regarding the voluntariness of any alleged statements in accordance with the provisions of 18 U.S.C. § 3501 and the principles set forth in *United States v. Inman*, 352 F.2d 954 (4th Cir. 1965). If, at such hearing, the government fails to establish that such statements were not obtained in violation of Mr. Roske’s privilege against

self-incrimination, nor his right to counsel as guaranteed by the Fifth and Sixth Amendments to the United States Constitution, nor the Supreme Court's holding in *Miranda v. Arizona*, 384 U.S. 436 (1966), and were not otherwise involuntary, see *Mincey v. Arizona*, 437 U.S. 385 (1978); *McNabb v. United States*, 318 U.S. 332 (1943), such statements should be suppressed.

**WHEREFORE**, Mr. Roske moves that all statements, admissions and confessions which the government proposes to use as evidence against him, whether oral, written or otherwise recorded, be suppressed.

Respectfully submitted,  
James Wyda  
Federal Public Defender  
for the District of Maryland

\_\_\_\_\_/s/\_\_\_\_\_  
Andrew R. Szekely (#16407)  
Meghan G. Michael (#81137)  
Assistant Federal Public Defender  
100 South Charles Street  
Tower II, 9th Floor  
Baltimore, Maryland 21201  
Phone: (410) 962-3962  
Fax: (410) 962-0872  
Email: andrew\_szekely@fd.org  
Email: meghan\_michael@fd.org