

United States District Court
Eastern District of Michigan

United States of America
Respondent

Case: 2:22-mc-50662
Judge: Michelson, Laurie J.
MJ: Grand, David R.
Filed: 03-23-2022 At 02:26 PM
MOTION FOR RETURN OF PROPERTY
RE: GEORGE G RIDER-BEY (DA)

Vs.

George G. Rider-Bey
Petitioner

Combined Motion for Return
of Property and Application

For Writ of Replevin
(Fed. R. Cr. Proc. 41(g) and
Title 28 U.S.C. § 1651)

Relief Requested

Now comes George G. Rider-Bey in proper
seeking the return of all property which
was UNlawfully and UNConstitutionally seized
by officials of the United States Government
ON March 25, 2017

Facts of Complaint

1. On March 25, 2017 officials of the United States Government consisting of F.B.I., A.T.F., V.C.T. as well as Michigan State Police, who entered real property located at 29801 Greater Mack Ave. City of St. Clair Shores, and the State of Michigan. This property is lawfully owned by Gloria J. Ray, who is my live in girlfriend, and my son's mother.
2. As far as standing is concern, I receive mail at this address. My Michigan State ID is at this address. Also I have clothes at this resident.
(See Attach Driver License Exhibit A)
3. Petitioner seeks the return of all property seized on March 25, 2017 According to Fed. R. Cr. Proc. 41(g)
4. Petitioner can not say what all property was unlawfully seized from the resident. The government fail to present a warrant, a affidavit, or a itemize Tabulation sheet of what was seized.

(See *Groh v. Ramirez*, 540, U.S. 551 (2004))

5. The Fourth Amendment's UNambiguous requirement that a warrant particularly describe... the person or things to be seized. The Application or the Agents did not state what they was looking for.
6. A warrant that fails to conform to the particularly requirement of the fourth amendment is UNCONSTITUTIONAL; (See *Massachusetts v. Sheppard* 468, U.S. 981, 988, N.5 (1984) Also See *U.S. v. Stefonek*, 179, F.3d. 1030, 1033 (CA.7 1999))
7. Although a Application for a search warrant was presented to Gloria J. Ray for the agents to manipulate their way into the property.
The Application for a search warrant did not describe the place to be searched and/or the contraband the government expected to find.

8. The Application to get a search warrant fail to identify what the government expected to find. Also the Application was not even signed by a Magistrate.
9. How can the government come into our resident, and violate our fourth amendment right, by unlawfully searching our home, seizing our personal property, and then ask us, what did we take?
10. To this date the government has fail to produce a copy of a valid and lawful search warrant to enter our home. Nor did they ever produce a affidavit, or a Tabulation sheet of what was seized.
11. It has been almost five years since the government unlawfully searched our property. It has been no charges brought by the government. The statute of limitation is five years.

12. The unlawful search was so broad, the government did a general search, took whatever they wanted. The uniformly applied rule is that a search conducted pursuant to a warrant, that fails to conform to the particularity requirement of the fourth amendment is UNCONSTITUTIONAL. See *Stanford v. Texas*, 379, U.S. 476 (1965)
13. The government know the search was a unlawful search and seizure. This is why the government has continue to hide the warrant, by continuing sealing the search warrant.
14. A particular warrant also "assures the individual whose property is searched or seized of the lawful authority of the executing officer, and his need to search, and the limits of his power to search." See *U.S. v. Chadwick*, 433 U.S. 1, 9, (1977)
Also see Searches and Examinations A.T.F. order 03220.1 (7)(d) Feb 13, 1997)
See also *id.*, at 3220.1 (23)(b)

15. Agents are liable if they exceed their authority while executing a search warrant, and must be sure that a search warrant is sufficient on its face even when issued by a Magistrate.

See Searches and Examinations, A.T.F. Order 0.3220.1(7)(d) (Feb. 13, 1997) See also id., at 3220, 1(23)(b)

If any error or deficiency is discovered and there is a reasonable probability that it will invalidate the warrant, such warrant shall not be executed.

See Groh v. Ramirez, 540, U.S. 551 (2004)
Also see Voss v. Bergsgaard, 774, F.2d 402 (1985)

Law

A. Motion for Return of All Property.

Fed. Rule of Crim. Proc. 41(g) directs that:

A person aggrieved by the deprivation of property, may move for the property's return. The motion must be filed in the district where the property was seized.

The court must receive evidence on any factual issue necessary to decide the issue. See Attach Revocation of Detainer Exhibit B

(id, in relevant part)

According to the Law, Petitioner would like the court to direct the government to unseal the warrant, the affidavit, dated March 25, 2017, along with the Tabulation Sheet of the things that was seized. And return the property to Petitioner. The statute of Limitation is five years, and no charges has been brought against Petitioner. See Baranski v. Fifteen UNKNOWN agents of A.T.F., F.Supp.2d 401, (W.D.Ky 2003)

B. Writ of Replevin

Title 28 U.S.C. § 1651 directs that:

All courts May issue all writs
Necessary or appropriate in aid
of their appropriate jurisdictions
and agreeable to the Usage and
principles of Law.

(id, in relevant part)

Application of the Law
To the Facts of this case.

In this matter petitioner has been aggrieved
by the deprivation of their property.
Jurisdiction lies in the Eastern District
of Michigan per Fed. R. Cr. Proc. 41(g)
(Supra) Venue is appropriate in this
court.

No legitimate government purpose is
served by continued deprivation.
The property should be returned.

Prayer For Relief

Wherefore Petitioner George G. Rider-Bey prays that this honorable Court will grant the following relief:

1. Direct the return of Petitioner Property.
 - or
 2. Conduct a hearing if Necessary and
 3. Direct the government to UNSEAL the warrant, the affidavit, and the Tabulation sheet dated March 25, 2017
- Because the statue of limitation has expired. Nor has any Charges been brought.
4. Any other relief that is just and proper.

Petitioner humbly ask this court to review Petitioner Motion with a liberal eye/ Interpretation, as I am not a licensed Jurist.

Respectfully Submitted

George G. Rider-Bey

Certificate of Service

I George G. Rider-Bey certify that I have served a copy of this Motion to each person below.

Combined Motion for Return of Property and Application

For Writ of Replevin
(Fed. R. Cr. Proc. 41(g) and
Title 28 U.S.C. § 1651)

1. U.S. Attorney of Eastern District of Michigan Dawn Isom
2. A.U.S.A. Karen Reynolds
3. A.U.S.A. Shankar Ramamurthy

211 W. Fort St. Ste 2001
Detroit, MI 48226

MICHIGAN DEPARTMENT OF CORRECTIONS
REVOCATION OF DETAINER

CAJ-293 B
 REV. 01/14

Name	Number	Lock
Rider, George Gerald	155733	900:188

Please be advised that US Marshals - Eastern Division
 (Agency Name)

has revoked a detainer against the above-mentioned prisoner for the ☒ **untried** ☐ **tried**
 charge of:

Warrant/Docket #	Charge Description	Term Of Sentence (If Tried Charge)	Expiration Date (If Applicable)
19 mi 30317, 19-30452,	Fraud by wire, wire frauds and swindles	Case Dismissed	

Signed: _____

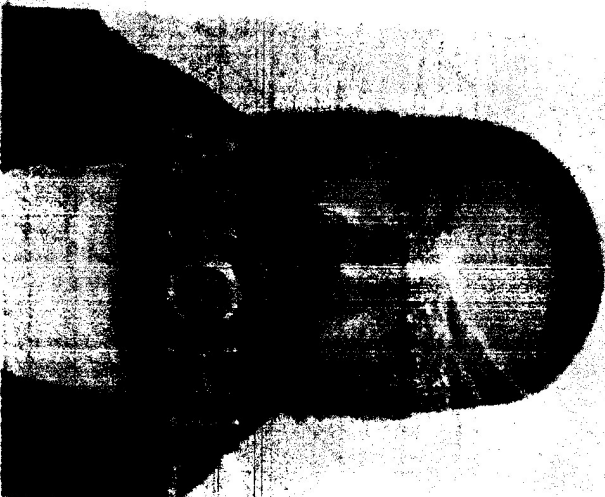
Date: 2/3/22

Print Name: K. Burton Record Office Supervisor

DISTRIBUTION: WHITE – RECORD OFFICE; CANARY – CENTRAL OFFICE; PINK – COUNSELOR FILE; GOLDENROD – PRISONER

STATE OF MICHIGAN

DRIVER LICENSE
NOT FOR FEDERAL IDENTIFICATION



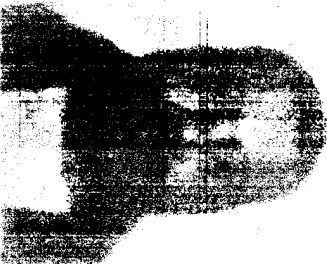
DOB 06-23-1958 ISS 07-16-2020
EXP 06-28-2024

062856

GEORGE GUNALD RIDER JR
23801 GREATER MACK AVE
SAINT CLAIR SHORES, MI 48082-1853

Sex M Hgt 601 Eyes BRO
Lic Type 0 End NONE

Restrictions NONE



George H. Rider

DD 9005324584R12

Rev 01-21-2011