

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

In the Matter of the Search of: )  
 ) Case No. 06-231-M-01  
RAYBURN HOUSE OFFICE BUILDING )  
ROOM NUMBER 2113 ) Judge Thomas F. Hogan  
WASHINGTON, D.C. 20515 )  
 )

**MOTION FOR RETURN OF PROPERTY  
AND EMERGENCY MOTION FOR INTERIM RELIEF**

Pursuant to Fed. R. Crim. Proc. 41(g), Congressman William J. Jefferson, by counsel, hereby respectfully moves for the return of all property seized pursuant to the execution of the search warrant on Rayburn House Office Building Room Number 2113 on May 20 and 21, 2006. The unprecedented search of the Representative's office offends the separation of powers embodied in the United States Constitution and violates the absolute privilege and immunity that Members of Congress enjoy under the Speech or Debate clause of Article I, section 6. As the target of the criminal investigation involved, the owner of the materials seized, and a Member of the United States House of Representatives, Congressman Jefferson is "a person aggrieved" by the unlawful search and seizure undertaken on that date. In support of his motion, Congressman Jefferson submits the accompanying memorandum of points and authorities.

For the reasons set forth in the memorandum, the Congressman requests that the court order the return of all

items seized from his office. In order to minimize the harm that this violation of Constitutional privilege may cause while this motion is pending, Congressman Jefferson further requests the following immediate relief in order to allow for full briefing and careful consideration by the court:

- that the FBI and the Department of Justice, and their agents and employees be immediately enjoined from any further review or inspection of the seized items;
- that the seized items be sequestered and locked in a secure place; and
- that the supervisor(s) of the search team and the "Filter Team" file a report with the court detailing which documents or electronic records have been reviewed and what steps have been taken to sequester the documents from further review pending further order of the court.

Finally, in order to brief the matter fully, Congressman Jefferson also requests that he and his counsel be permitted to review unredacted paragraphs 129 - 131 of the search warrant affidavit. The context of the redactions suggests that the paragraphs relate to matters to which he is a party.

WHEREFORE, Congressman William J. Jefferson respectfully submits that his motion for return of property should be GRANTED, and all material seized pursuant to the execution of

the search warrant on Rayburn House Office Building Room Number  
2113 should be returned to him forthwith.

Respectfully submitted,

WILLIAM J. JEFFERSON

By Counsel:

A handwritten signature in black ink, appearing to read "R. P. Trout", written over a horizontal line.

Robert P. Trout

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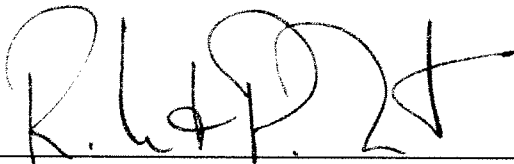
**Certificate of Service**

I hereby certify that on this 24th day of May, 2006 a copy of the foregoing motion together with the accompanying memorandum and proposed order was served on counsel listed below as follows:

**BY HAND**

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Robert P. Trout