

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

v.

VITALI GOSSJANKOWSKI,

Defendant.

Criminal No. 21-0123 (PLF)

MEMORANDUM OPINION AND ORDER

On September 9, 2022, defendant Vitali GossJankowski filed a Motion to Suppress Statements. See Motion to Suppress Statements (“Mot.”) [Dkt. No. 66]. The government filed a response on September 23, 2022, see United States’ Response in Opposition to Defendant Vitali GossJankowski’s Motion to Suppress Statements [Dkt. No. 78], and Mr. GossJankowski filed a reply on September 30, 2022. See Reply in Support of Motion to Suppress Statements (“Reply”) [Dkt. No. 82]. The Court heard testimony on this motion at an evidentiary hearing on January 11, 2023 and oral argument at a hearing on January 17, 2023.

Mr. GossJankowski’s motion sought to suppress at trial statements that he made to law enforcement officers on January 14, January 17, and January 18, 2021 on the grounds that these statements were “made involuntarily and obtained in violation of the Fifth Amendment of the U.S. Constitution and Miranda v. Arizona, 384 U.S. 436 (1966).” Mot. at 1.

Mr. GossJankowski argued that his statements to law enforcement officers on January 14 and January 17, 2021 were not voluntary and were obtained in violation of Miranda because he was “not adequately apprised of his right against self-incrimination and his right to counsel prior to undergoing custodial interrogation.” Id. at 2-3, 5. In addition, he argued that his statements to

law enforcement officers after he was arrested on January 18, 2021 were obtained in violation of Miranda because officers continued to question him after he purportedly invoked his right to counsel. See Reply at 6-7. Among other things, the Court found that Mr. GossJankowski was not in custody on January 14 and January 17 and that he had not unambiguously invoked his right to counsel on January 18. For the reasons stated on the record in open court at the January 17, 2023 hearing, the Court denied Mr. GossJankowski's motion in its entirety. Accordingly, it is hereby

ORDERED that Mr. GossJankowski's Motion to Suppress Statements [Dkt. No. 66] is DENIED.

SO ORDERED.

  
PAUL L. FRIEDMAN  
United States District Judge

DATE: 1 | 18 | 23