

1 place on the afternoon of the 22nd, must fall.

2 THE COURT: All right, thank you gentlemen. The Court
3 has listened and reviewed carefully the evidence of the witnesses
4 that have testified today, the testimony of the doctor, the
5 testimony of the officers concerning the rights of the defendant
6 and their advice concerning those rights and his response and
7 the actual physical events that occurred before, during and
8 after the questioning. We've also listened with special interest
9 to the testimony of the defendant and we found that testimony
10 to be intelligent and indicating an experience and understanding
11 of the criminal process. During all of that testimony in its
12 relationship to the respective motions, we think that there has
13 been evidence that has established the proper giving of the
14 Miranda rights to the defendant and his voluntary and knowing
15 waiver of those rights. We think that the evidence establishes
16 a capacity to understand the nature of the rights and the nature
17 of the waiver and we think the evidence does not indicate that
18 that capacity was diminished by either duress or coercion. We
19 further find from the evidence that there was no coercion or
20 inducement by promise or otherwise of the statements that were
21 given. Consequently, we deny the motions to suppress all state-
22 ments.

23 MR. SCOTT: Your Honor, moving on to the next motion
24 before the Court, there is one other with respect to the produc-
25 tion of documents and certain interrogatories that are pending.