The search and seizure law in The Fourth Amendment to the U.S. Constitution advocates for privacy and restricts the authority of the police to arrest and search people, confiscate items and illegal goods as well as search their premises unreasonably. This Fourth Amendment to the U.S. Constitution reads: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

The Fourth Amendment however allows reasonable search and seizure. This happens when the law enforcement agents believe there is evidence that you committed a crime so they obtain a search warrant from a judge (Bergman &Paul, 2009, p.161).When procuring the warrant, they need to prove that there is probable cause and take an oath to certify that the information is true. The officers are also required to describe in detail the areas of the property where they will do a search and the items that they will confiscate or seize. A judge will then scrutinize the whole information and gauge whether the given circumstances necessitates the issuing of a search warrant. There are three types of warrants that a judge may decide to issue depending on the circumstances: a knock-and-announce warrant, a no-knock warrant or an anticipatory warrant (Bergman &Paul, 2009, p.161).

When a knock-and-announce warrant is issued, the law enforcement officers are obliged to knock on the door of the residence or house where they are supposed to conduct a search and identify themselves properly before entering. They can then go in and conduct the search even if the owner of the residence does not let them in willingly. According to Bergman &Paul, there were instances when the application of this warrant was questioned; when officers break into a house to search without knocking and identifying themselves. In 2006, the Supreme Court ruled in favor of the enforcement officers that their failure to knock or announce at a residence when they have obtained a knock-and-announce warrant will not lead to the use of the exclusionary rule during trial (2009, p.162).

The exclusionary rule is a doctrine established in 1961 by the U. S. Supreme Court. It states that any evidence gathered by law enforcers following an unreasonable and illegal search cannot be used against the defendant in a criminal trial. This is because it is a violation of the Fourth Amendment. It gives one the right against unreasonable search by the law enforcers. Some people who oppose this rule say that when a person seeks exclusion of illegally obtained evidence, he is indeed guilty of the crime he is arrested for committing. The police therefore can search a residence without knocking, provided they have a warrant (Dripps).

The exclusionary rule was first applied in the Boyd v. United States (cite) case involving a forced production of some business papers by Boyd hence incriminating himself. The court cited the Fifth Amendment on self incrimination and exclusion of evidence was denied. In Wolf vs Colorado. (2010) the plaintiff, Julius A. Wolf, was convicted for plot to carry out criminal abortions. Upon appeal, the court unanimously ruled that the search and seizure was in breach of the Fourth Amendment.

The second type of warrant that can be issued by the judge is the no-knock warrant. Bergman &Paul explain that in this case, the officers are entitled to enter a building or residence without announcing their presence to the owner or knocking on the residence door first. Most Courts set aside these warrants for use in instances where the owner of the building or residence to be searched is capable of or is suspected to likely destroy or tamper with the sought-after evidence before the enforcement officers knock on the door and enter(2009, p.163).

The third type of warrant, the anticipatory warrant, is a rare and special one due to the fact that it is most often used in future occurrences. The evidence from a given residence that is under investigation may not be that useful to a case during its present trial. However, the police may feel that in the later course of the trial, evidence from this location may fit into the case. They therefore get the warrant so that when the conditions become favorable for its use, they will conduct the search (Bergman &Paul, 2009, p.163).In William's case, the search and seizure was justified. Mrs. Ellis called 911 when she found her neighbor, Clyde Stevens, lying motionless in her walk-in closet with a knife stabbed in his back.

When the police and paramedics arrive and pronounce him dead, Mrs. Ellis' house immediately becomes a crime scene and the investigators begin processing the scene without a search warrant. The presence of a dead body in the Ellis house justifies the search by the investigators. There are several examples of court cases involving legal justifications of a search.

The Fruit of the poisonous tree doctrine is a principle that refutes the use of illegally obtained evidence in a court trial. Any other evidence seized later due to the previously seized illegal evidence is also inadmissible (Bergman, 2009, p.42-43) the name fruit of the poisonous tree is a metaphor where the poisonous tree refers to the illegally obtained evidence while the fruit is the later evidence seized following analysis of the first illegally seized evidence. The belief is that if the tree is tainted, so are the fruits hence their exclusion from a criminal trial.

This law was first instituted in the Silverthorne Lumber Co. v. United States (1920) case where Frederick W. Silverthorne was arrested on suspicion of tax evasion. The evidence presented was copies of the tax book records Law enforcement agents illegally seized from his offices. He did not comply when the court ordered submission of more documents by him as requested by the prosecution. Silverthorne was thus jailed. The Supreme Court reversed the judgment, on appeal, terming the evidence inadmissible and contaminated and the law enforcers in breach of the Fourth Amendment.

The major steps followed in a criminal case are as follows: Investigation of the crime so as to gather evidence at the Ellis property, and on the alleged perpetrator William. After establishing evidence that links William to the murder, it follows the arrest of the suspect by the police. He is taken into custody until a court hearing. Prosecution of the defendant by the district attorney based on the evidence provided. After that, there is indictment of the defendant by a grand jury to determine whether or not the case will be presented in a closed hearing. A pre-trial is held to determine the strength of the evidence to warrant a trial. The defendant can dispute the charges.

The judge will then arraign the defendant in court to enter a plea of guilty or not guilty. He may be detained or released on bail. Later on the defendant will face the judge or jury and his sentence read to him based on evidence presented and magnitude of the crime. The sentence may be probation, serving time in jail or prison or a fine. His attorney may then file an appeal in the appellate courts where the charges may be dropped or not. Failure in the appeal will lead to the defendant serving his punishment and later released on parole.