STATEMENT OF LEGAL ISSUES

I

WHETHER REASONABLE SUSPICION EXISTED TO JUSTIFY THE SEARCH OF DEFENDANT'S VEHICLE AFTER HE HAD BEEN STOPPED FOR A ROUTINE TRAFFIC VIOLATION?

Trial court: held that Trooper Swets had reason to expand the scope of inquiry beyond routine traffic questions based upon Defendant's and his male passenger's activities, demeanor and answers to questions. The subsequent canine sniff of the exterior of the automobile was said to provide yet further reasonable suspicion to conduct a search of the vehicle.

II

WHETHER QUESTIONS TO THE DEFENDANT REGARDING HIS STATUS AS AN ILLEGAL ALIEN VIOLATED HIS MIRANDA RIGHTS?

Trial court: found that the road questioning of Defendant while detained pursuant to a routine traffic stop was not a "custodial interrogation." According to the court, the initial conversation was "general on-the-scene questioning."

III

WHETHER DEFENDANT WAS ENTITLED TO A DISMISSAL OF THE INDICTMENT ON THE GROUNDS OF COLLATERAL ESTOPPEL, RES JUDICATA, AND DOUBLE JEOPARDY?

Trial court: held that those doctrines were not applicable to successive prosecutions by different sovereigns.