

THURSDAY, MARCH 27, 2008
11:00 A.M.

NO. 3

#24549

STATE OF SOUTH DAKOTA,
Plaintiff and Appellant,

vs.

WADE DUSTIN HAYEN,
Defendant and Appellee.

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(FOR PLAINTIFF)

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(FOR APPELLEE)

The Honorable Glen A. Severson
Second Judicial Circuit
Minnehaha County

(CR 07-1048)

#24549

STATEMENT OF THE LEGAL ISSUE

DOES A LAW ENFORCEMENT OFFICER, WHO HAS PROPERLY INITIATED A TRAFFIC STOP, HAVE THE AUTHORITY TO CONDUCT A REASONABLE INVESTIGATION OF THE DRIVER, INCLUDING ASKING FOR A DRIVER'S LICENSE AND PROOF OF INSURANCE?

The trial court granted Defendant's motion to suppress evidence, holding that the officer did not have authority to conduct the investigation.

State v. Muller, 2005 S.D. 66, 698 N.W.2d 285

State v. Kenyon, 2002 S.D. 111, 651 N.W.2d 269

State v. Vento, 1999 S.D. 158, 604 N.W.2d 468