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ISSUE OF LAW

WHETHER A POLICE OFFICER IN PURSUIT OF A FLEEING PERPETRATOR FROM ONE COUNTY TO AN ADJOINING COUNTY IS ENTITLED, IN THE ADJOINING COUNTY, TO STOP THAT PERPETRATOR, TO TAKE A STATEMENT FROM HIM, AND TO OTHERWISE GATHER EVIDENCE FROM HIM AND HIS VEHICLE, IF THE PERPETRATOR IS A MEMBER OF AN INDIAN TRIBE AND THE STOP IS MADE ON A HIGHWAY IN A RESERVATION WHEN THE ALLEGED CRIMES WERE COMMITTED OFF RESERVATION?

The magistrate ordered that the State was not permitted to submit testimony, documents, or any form of evidence gathered by law enforcement after the stop of a tribal member on the Pine Ridge Indian Reservation. SR 47.