

THURSDAY, MARCH 27, 2008
10:00 A.M.

NO. 2

#24518

STATE OF SOUTH DAKOTA,
Plaintiff and Appellee,

vs.

RYAN ELDON QUARTIER,
Defendant and Appellant.

Mr. Steve Cowan
Minnehaha County Public
Defender's Office
413 N. Main Ave
Sioux Falls SD 57104
Ph: 367-4242

(FOR APPELLANT)

Mr. Steven R. Blair
Assistant Attorney General
1302 E Hwy 14 Ste 1
Pierre SD 57501-8501
Ph 773-3215

(FOR APPELLEE)

The Honorable Glen A. Severson
Second Judicial Circuit
Minnehaha County

(CR 06-3230)

LEGAL ISSUES

I.

WHETHER LAW ENFORCEMENT HAD REASONABLE SUSPICION
TO STOP THE VEHICLE IN WHICH MR. QUARTIER WAS
RIDING AND WHETHER EVIDENCE COLLECTED BY LAW
ENFORCEMENT AFTER THE STOP COULD BE USED AT TRIAL.

The trial court ruled that law enforcement had reasonable suspicion to stop the van in which Mr. Quartier was riding and allowed evidence collected after the stop to be used at trial.

Relevant Cases: State v. Kenyon, 2002 SD 111, 651 N.W.2d 269; State v. Cuny, 534 N.W.2d 52 (S.D. 1995); U.S.v. Crawford, 891 F.2d 680 (8th Cir. 1989); U.S.v. Buchannon, 878 F.2d 1065 (8th Cir. 1989).

II.

WHETHER THE LAW ENFORCEMENT OFFICER WHO STOPPED THE
QUARTIER VEHICLE COULD RELY ON ERRONEOUS INFORMATION
FROM A FELLOW LAW ENFORCEMENT OFFICER TO MAKE THE STOP.

The trial court ruled that an officer who relies on erroneous information from a fellow law enforcement officer to make a stop has made a legal stop, provided the officer had an objective and reasonable belief that his action was proper.

Relevant Cases: . State v. Muller, 2005 SD 66, 698 N.W.2d 285; Whiteley v. Warden, 401 U.S. 560, 91 S.Ct. 1031, 28 L.Ed.2d. 306.