

TUESDAY, NOVEMBER 16, 2010
10:00 A.M.

NO. 2

#25609

STATE OF SOUTH DAKOTA,
Plaintiff and Appellee,

vs.

WILLIAM C. KLAGER, JR.,
Defendant and Appellant.

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(FOR APPELLEE)

The Honorable Jack R. Von Wald
Fifth Judicial Circuit
Brown County

(CR 09-1064)

STATEMENT OF ISSUES

- I. WHETHER THE WARRANTLESS INSPECTIONS OR SEARCHES AUTHORIZED BY SDCL 41-6-33 PROVIDE CONSTITUTIONALLY ADEQUATE PROTECTIONS SUBSTITUTING FOR THE PROTECTIONS AFFORDED BY THE FOURTH AMENDMENT WARRANT REQUIREMENT.

Authorities

1. New York v. Burger, 107 S.Ct. 2636, 482 U.S. 691 (U.S. 1987)
2. Marshall v. Barlow's, Inc., 436 U.S. 307, 323
3. Donovan v. Dewey, 452 U. S. 594 (1981)
4. Colonndale Corp. v. U.S., 397 U.S. 72 (1970)