

BOISE, MONDAY, DECEMBER 9, 2019 AT 8:50 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

STATE OF IDAHO,)
)
 Plaintiff-Appellant,)
)
 v.) **Docket No. 47308**
)
 JENNIE LYNN PYLICAN,)
)
 Defendant-Respondent.)
)

Appeal from the District Court of the Fourth Judicial District of the State of Idaho, Ada County. Jonathan Medema, District Judge.

Lawrence G. Wasden, Idaho Attorney General, Boise, for appellant.

Eric D. Fredericksen, State Appellate Public Defender, Boise, for respondent.

The State appeals from the district court’s order granting Jennie Pylican’s motion to suppress. An officer observed a car registered to Pylican enter a secured storage facility after its hours of operation. The officer became suspicious of criminal activity. When the car left the facility, the officer followed the car until its operator committed a traffic violation and stopped the vehicle. The officer approached the vehicle and spoke with the operator, who identified herself as Jennie Pylican. He questioned her concerning the traffic violation and about her being in the storage facility after hours. A K-9 officer arrived and ran his dog around the vehicle. The dog alerted on the car and Pylican’s backpack. During the search of the car and the backpack, the officers seized methamphetamine and drug paraphernalia.

Pylican moved to suppress the evidence seized during the search, arguing that the officers unlawfully extended the stop. The district court concluded that there was probable cause to seize Pylican for the traffic violation, but concluded that there was no reasonable articulable suspicion that Pylican had engaged in any criminal activity in the storage facility. The district court ruled that the officer had unconstitutionally extended the stop when he questioned Pylican regarding her presence in the storage facility. Alternatively, the district court ruled that the officer unconstitutionally extended both the scope and duration of the seizure by requiring Pylican to exit the car. As a result, the district court granted Pylican’s motion to suppress.

The State appealed, arguing that the officer had reasonable suspicion to investigate why Pylican was in the storage facility two hours after it had closed. As to the alternative ruling, the State argues that an order to exit the car during a lawful traffic stop does not violate the Fourth Amendment of the United States Constitution.

The Idaho Court of Appeals heard the State's appeal, and affirmed the district court's order granting Pylican's motion to suppress. The State filed a petition for review, which this Court granted.