

MISSISSIPPI COURT OF APPEALS

Terrance Demarco Wilson a/k/a Terrence Wilson a/k/a Terrance Wilson v. State of Mississippi

No. 2024-KA-00632-COA · No. No. 2024-KA-00632-COA · Decided February 17, 2026

SUMMARY

The Mississippi Court of Appeals held that an officer lacked reasonable suspicion to initiate a traffic stop based solely on the presence of a properly displayed temporary tag. The court ruled that evidence obtained during the stop, including a firearm and related statements, should have been suppressed under the Fourth Amendment and the Mississippi Constitution. The court reversed Wilson’s conviction for possession of a firearm by a felon and rendered a judgment of acquittal.

CASE DETAILS

COURT	Mississippi Court of Appeals
WRITING FOR THE COURT	Wilson, P.J.; Barnes, C.J.; Westbrook, J.; McDonald, J.; Lawrence, J.; McCarty, J.; Emfinger, J.; Weddle, J.; Lassitter St. Pé, J.
JURISDICTION	Mississippi Court of Appeals
DECIDED	February 17, 2026
DOCKET	No. 2024-KA-00632-COA
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Wilson appealed his felony conviction for possession of a firearm by a felon after the DeSoto County Circuit Court denied his motion to suppress evidence obtained during a traffic stop, denied directed-verdict motions, and entered judgment after a jury trial.
STANDARD OF REVIEW	The court applied a mixed standard of review: determinations of reasonable suspicion and probable cause were reviewed de novo, while underlying historical facts were reviewed under the substantial-evidence and clearly erroneous standards.
PRECEDENTIAL VALUE	published
PARTIES	Terrance Demarco Wilson a/k/a Terrence Wilson a/k/a Terrance Wilson v. State of Mississippi

TOPICS

search and seizure

suppression of evidence

fourth amendment

criminal procedure

appellate procedure

PRACTICE AREAS

criminal procedure

constitutional law

evidence

appellate procedure

QUESTIONS PRESENTED

1. Whether an officer may initiate a traffic stop solely because a vehicle displays a properly displayed temporary tag when the officer has observed no traffic violation or other suspicious conduct.
2. Whether evidence obtained during that stop, including derivative testimonial and tangible evidence, must be suppressed under the Fourth Amendment to the United States Constitution and article 3, section 23 of the Mississippi Constitution.

HOLDINGS

1. A vehicle displaying a temporary tag is not subject to a traffic stop solely on that basis. A stop requires evidence that the tag is not properly displayed or other articulable facts giving rise to a particularized and reasonable suspicion that the tag is invalid or that the vehicle or an occupant violated another law.
2. Because the traffic stop was unlawful, all evidence obtained as a result of the stop, including derivative tangible and testimonial evidence, was subject to suppression. With no remaining evidence to support the conviction, the conviction and sentence had to be reversed and rendered.

KEY QUOTATIONS

“a vehicle displaying a temporary tag is not subject to a traffic stop unless the tag is not properly displayed, see Stanley Wilson, 358 So. 3d at 1074-75 (¶¶22-25); Gonzales, 963 So. 2d at 1143-44 (¶¶23-25), or some other articulable facts give rise to a particularized and reasonable suspicion that the temporary tag is invalid or that the vehicle or an occupant have violated some other law.” (¶18)

“An officer may not stop a car “just because it has temporary tags.”” (¶18)

FACTUAL BACKGROUND

Officer Dan Russell followed a Ford Explorer on Interstate 55 for more than a minute and observed that it displayed a temporary tag. The driver was not speeding, committing traffic violations, or engaging in suspicious behavior, and Russell could see and read the tag, which was not obscured or difficult to read. Russell nevertheless stopped the vehicle solely because it had a temporary tag; subsequent searches uncovered marijuana and a handgun, and Wilson was convicted based on the resulting evidence.

PROCEDURAL HISTORY

A Hernando police officer stopped a vehicle solely because it displayed a temporary tag. After searches of the vehicle revealed marijuana and a handgun, Wilson was charged with possession of a firearm by a felon. The circuit court denied suppression and directed-verdict motions, the jury convicted Wilson, and the court sentenced him to ten years in custody without parole eligibility. The circuit court denied Wilson's posttrial motion, and Wilson appealed.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

No remand was ordered in substance. The court reversed and rendered Wilson's conviction and sentence, directing entry of a judgment of acquittal.

CASES CITED

- Sutton v. State, 238 So. 3d 1150, 1155 (¶15) (Miss. 2018)
- Green v. State, 344 So. 3d 854, 857 (¶12) (Miss. 2022)
- Marshall v. State, 584 So. 2d 437, 438 (Miss. 1991)
- Murray v. United States, 487 U.S. 533, 536 (1988)
- Martin v. State, 240 So. 3d 1047, 1050-51 (¶¶9, 11) (Miss. 2017)
- United States v. Hensley, 469 U.S. 221, 226-29 (1985)
- Wrenn v. State, 281 So. 3d 838, 842 (¶13) (Miss. Ct. App. 2018)
- Cooper v. State, 145 So. 3d 1164, 1168 (¶11) (Miss. 2014)
- Dies v. State, 926 So. 2d 910, 917 (¶20) (Miss. 2006)
- Stanley Wilson v. State, 358 So. 3d 1069, 1073-75 (Miss. Ct. App. 2022)
- Gonzales v. State, 963 So. 2d 1138, 1143-44 (¶23) (Miss. 2007)
- State v. Butler, 539 S.E.2d 414, 416 (S.C. Ct. App. 2000)
- Berry v. State, 547 S.E.2d 664, 668-69 (Ga. Ct. App. 2001)
- People v. Hernandez, 196 P.3d 806, 807, 809 (Cal. 2008)
- Delaware v. Prouse, 440 U.S. 648, 661, 663 (1979)
- State v. Lord, 723 N.W.2d 425, 426-27 (Wis. 2006)
- State v. Childs, 495 N.W.2d 475, 481-82 (Neb. 1993)
- Clinton v. Garrett, 49 F.4th 1132, 1141 (8th Cir. 2022)
- United States v. Wiley Wilson, 205 F.3d 720, 723-24 (4th Cir. 2000) (en banc)
- Trejo v. State, 76 So. 3d 684, 690 (¶17) (Miss. 2011)