

MICHIGAN SUPREME COURT

People v. Dunbar

499 Mich. 60 (2016) · Decided March 29, 2016

SUMMARY

The Michigan Supreme Court held that a towing ball partially obstructing a vehicle’s registration plate violated MCL 257.225(2), which requires a plate to be attached in a clearly visible position. The traffic stop was therefore lawful, and the trial court properly denied the defendant’s motion to suppress contraband discovered during the ensuing vehicle search.

CASE DETAILS

COURT	Michigan Supreme Court
WRITING FOR THE COURT	Markman, J.; Young, C.J.; Zahra, J.; McCormack, J.; Viviano, J.; Bernstein, J.; Larsen, J.
JURISDICTION	Michigan
DECIDED	March 29, 2016
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	The prosecutor sought review of the Michigan Court of Appeals' reversal of the trial court's denial of defendant's motion to suppress contraband discovered after a traffic stop.
STANDARD OF REVIEW	The trial court's factual findings on a motion to suppress are reviewed for clear error, and its legal conclusions and statutory interpretation are reviewed de novo.
PRECEDENTIAL VALUE	Published Michigan Supreme Court opinion; precedential.
PARTIES	People of the State of Michigan v. Dunbar

TOPICS

- suppression of evidence
- fourth amendment
- search and seizure
- statutory interpretation
- criminal procedure

PRACTICE AREAS

- criminal procedure
- constitutional law
- traffic stops
- statutory interpretation
- suppression of evidence

QUESTIONS PRESENTED

1. Whether a towing ball attached to a vehicle that partially obstructs its registration plate violates MCL 257.225(2).
2. Whether the alleged registration-plate violation provided a lawful basis for the traffic stop.
3. Whether the trial court properly denied defendant's motion to suppress the contraband as fruit of an unlawful seizure.

HOLDINGS

1. The second sentence of MCL 257.225(2) requires a registration plate and surrounding attachments to be configured so that the plate is not partially or fully obstructed. An attached towing ball that obstructs the plate violates the statute.
2. Because defendant violated MCL 257.225(2), the officers had a lawful basis to stop his vehicle.
3. Suppression was properly denied because the stop was lawful; the contraband discovered after the officers smelled burnt marijuana was not fruit of an unlawful seizure.

KEY QUOTATIONS

“We conclude that the second sentence of MCL 257.225(2) requires a vehicle’s registration plate and surrounding attachments to be configured in such a manner that the plate is not partially or fully obstructed.”
(73)

“The statute therefore prohibits a registration plate from being obstructed by an object attached to a vehicle.”
(73)

“Because MCL 257.225(2) prohibits an obstruction of a vehicle’s registration plate, defendant violated the statute.” (71)

FACTUAL BACKGROUND

Police officers followed defendant's pickup truck and observed that a bumper-mounted towing ball partially obstructed the vehicle's registration plate. The officers stopped the truck for the alleged registration-plate violation, then smelled burnt marijuana and searched the vehicle, finding marijuana, cocaine, and a handgun. Defendant was charged with possession of cocaine, possession of marijuana, and carrying a concealed weapon.

PROCEDURAL HISTORY

After police stopped defendant for a partially obstructed registration plate and discovered marijuana, cocaine, and a handgun during a vehicle search, defendant moved to suppress the evidence as fruit of an unlawful seizure. The trial court denied the motion. The Michigan Court of Appeals reversed in a split decision. The Michigan Supreme Court, in lieu of granting leave to appeal, reversed the Court of Appeals, reinstated the suppression ruling, and remanded for further proceedings.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Reverse the Michigan Court of Appeals' judgment, reinstate the trial court's denial of defendant's motion to suppress, and remand to the trial court for further proceedings.

CASES CITED

- People v. Tanner, 496 Mich. 199, 206; 853 N.W.2d 653 (2014)
- Whren v. United States, 517 U.S. 806, 810; 116 S. Ct. 1769; 135 L. Ed. 2d 89 (1996)
- Epps v. 4 Quarters Restoration LLC, 498 Mich. 518, 529; 872 N.W.2d 412 (2015)
- People v. Miller, 498 Mich. 13, 25; 869 N.W.2d 204 (2015)
- People v. Likine, 492 Mich. 367, 387; 823 N.W.2d 50 (2012)
- Gardner v. Dep't of Treasury, 498 Mich. 1, 6; 869 N.W.2d 199 (2015)
- Lansing Mayor v. Pub. Serv. Comm'n, 470 Mich. 154, 163-164; 680 N.W.2d 840 (2004)
- AFT Mich. v. Michigan, 497 Mich. 197, 215; 866 N.W.2d 782 (2015)
- Oakland Co. Bd. of Co. Rd. Comm'rs v. Mich. Prop. & Cas. Guar. Ass'n, 456 Mich. 590, 613; 575 N.W.2d 751 (1998)
- Heien v. North Carolina, 574 U.S. 54; 135 S. Ct. 530; 190 L. Ed. 2d 475 (2014)
- People v. Dunbar, 306 Mich. App. 562, 565-570; 857 N.W.2d 280 (2014)
- People v. Dunbar, 497 Mich. 978 (2015)

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