

SUPREME COURT OF NORTH DAKOTA

State v. Lais

Lais, 2026 ND 12 (N.D. 2026) · No. No. 20250231 · Decided January 29, 2026

SUMMARY

The North Dakota Supreme Court summarily affirmed Shantel Rose Lais’s criminal judgment after she conditionally pleaded guilty to child neglect and unlawful possession of drug paraphernalia. Relying on its decision in State v. Golberg, the court held that the prior ruling was dispositive of Lais’s Fourth Amendment challenge to the denial of her motion to suppress evidence.

CASE DETAILS

COURT	Supreme Court of North Dakota
WRITING FOR THE COURT	Jon J. Jensen; Lisa Fair McEvers; Jerod E. Tufte; Douglas A. Bahr; Daniel J. Crothers
JURISDICTION	Supreme Court of North Dakota
DECIDED	January 29, 2026
DOCKET	No. 20250231
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant conditionally pleaded guilty to child neglect and unlawful possession of drug paraphernalia, challenged the denial of her motion to suppress evidence, and appealed the resulting criminal judgment.
PRECEDENTIAL VALUE	Published opinion; summary affirmance under N.D.R.App.P. 35.1(a) (7).
PARTIES	Shantel Rose Lais, n/k/a Shantel Rose Golberg v. State of North Dakota

TOPICS

- suppression of evidence
- fourth amendment
- search and seizure
- criminal procedure
- appellate procedure

PRACTICE AREAS

- criminal procedure
- constitutional criminal procedure
- appellate procedure

QUESTIONS PRESENTED

1. Whether the district court erred by denying Lais's motion to suppress evidence on the ground that law enforcement illegally entered an area in which she had a reasonable expectation of privacy under the Fourth Amendment.

HOLDINGS

1. The district court did not err in refusing to suppress the evidence because, under the controlling reasoning of *State v. Golberg*, Lais had no reasonable expectation of privacy in the area entered by law enforcement.

KEY QUOTATIONS

“For the reasons expressed in Golberg, we summarily affirm the judgment entered in this case.” (¶ 1)

FACTUAL BACKGROUND

Law enforcement entered an area associated with Lais and obtained evidence that supported charges of child neglect and unlawful possession of drug paraphernalia. Lais argued the entry violated the Fourth Amendment because she had a reasonable expectation of privacy in the area. The Supreme Court treated the issue as controlled by its contemporaneous decision in *State v. Golberg*, which held that no reasonable expectation of privacy existed under the circumstances.

PROCEDURAL HISTORY

The Mercer County District Court denied Lais's motion to suppress evidence. After Lais conditionally pleaded guilty, she appealed. The North Dakota Supreme Court summarily affirmed under N.D.R.App.P. 35.1(a)(7), relying on its controlling decision in *State v. Golberg*.

DISPOSITION

affirmed

CASES CITED

- *State v. Golberg*, 2026 ND 11

OPINION

State v. Lais 2026 ND 12

JENSEN, JON J.

IN THE SUPREME COURT

STATE OF NORTH DAKOTA

2026 ND 12 State of North Dakota, Plaintiff and Appellee v. Shantel Rose Lais, n/k/a Shantel Rose Golberg, Defendant and Appellant No. 20250231 Appeal from the District Court of Mercer County, South Central Judicial District, the Honorable Bobbi B. Weiler, Judge. AFFRIMED. Opinion of the Court by Jensen, Justice, in which Chief Justice Fair McEvers and Justices Tufte

and Bahr joined. Justice Crothers filed an opinion dissenting. Todd A. Schwarz, State's Attorney, Stanton, ND, for plaintiff and appellee; submitted on brief. Jamie L. Schaible, Fargo, ND, for defendant and appellant. State v. Lais No. 20250231 Jensen, Justice. [¶1] Shantel Lais appeals from a criminal judgment entered after she conditionally pleaded guilty to child neglect and unlawful possession of drug paraphernalia. She argues the district court erred when it denied her motion to suppress evidence. She asserts her Fourth Amendment rights were violated because law enforcement illegally entered an area where she had a reasonable expectation of privacy. Lais's co-defendant, Christopher Golberg, challenged the suppression order on the same grounds in State v. Golberg, 2026 ND 11, ___ N.W.3d ___. In that appeal, we decided the court did not err when it declined to suppress evidence after finding no reasonable expectation of privacy existed. Id. ¶ 18. For the reasons expressed in Golberg, we summarily affirm the judgment entered in this case. See N.D.R.App.P. 35.1(a)(7) (providing for affirmance by summary opinion when "a previous controlling appellate decision is dispositive of the appeal"). [¶2] Lisa Fair McEvers, C.J. Jerod E. Tufte Jon J. Jensen Douglas A. Bahr Crothers, Justice, dissenting. [¶3] I respectfully dissent for the reasons stated in my dissent in State v. Golberg, 2026 ND 11. [¶4] Daniel J. Crothers 1