

SUPREME COURT OF MINNESOTA

State v. Chute

908 N.W.2d 578 (Minn. 2018) · Decided March 14, 2018

SUMMARY

The Minnesota Supreme Court held that a police officer conducted an unlawful Fourth Amendment search by entering the curtilage of the defendant's home and inspecting a camper without a warrant. Although the driveway was impliedly open to the public for visitors seeking access to the home or garage, the officer exceeded that implied license by proceeding directly to and examining the camper. The court affirmed the court of appeals' decision, including its conclusion that the unlawful search tainted the defendant's subsequent consent to a search of his home.

CASE DETAILS

COURT	Supreme Court of Minnesota
WRITING FOR THE COURT	Chutich, Justice; Chutich; Gildea; McKeig
JURISDICTION	Minnesota
DECIDED	March 14, 2018
DISPOSITION	affirmed
PROCEDURAL POSTURE	The State sought review of a Minnesota Court of Appeals decision reversing the denial of Chute's motion to suppress evidence obtained during a warrantless entry onto his property and subsequent searches.
STANDARD OF REVIEW	The district court's factual findings on a suppression motion are reviewed for clear error, and its legal determinations are reviewed de novo.
PRECEDENTIAL VALUE	Published precedential decision of the Supreme Court of Minnesota
PARTIES	State of Minnesota v. Quentin Todd Chute

TOPICS

[fourth amendment](#) [search and seizure](#) [warrant requirement](#) [suppression of evidence](#) [criminal procedure](#)

PRACTICE AREAS

[criminal procedure](#) [constitutional law](#) [evidence](#)

QUESTIONS PRESENTED

1. Whether the camper was located within the curtilage of Chute's home and therefore protected by the Fourth Amendment.
2. Whether the officer's warrantless entry onto the property and examination of the camper fell within the scope of an implied license to approach the home or otherwise constituted a Fourth Amendment search.
3. Whether the plain-view doctrine authorized the officer's conduct.

HOLDINGS

1. The camper was parked within the curtilage of Chute's home and was therefore protected by the Fourth Amendment.
2. The officer's warrantless entry onto the curtilage and examination of the camper exceeded the spatial, purposive, and temporal limits of any implied license to approach the home and constituted an unreasonable Fourth Amendment search.
3. The plain-view doctrine did not authorize the officer's examination of the camper because that doctrine supplies an exception for warrantless seizures, not for an otherwise unlawful search, and the officer was not lawfully in a position to inspect the camper.

KEY QUOTATIONS

"We conclude that because the officer's conduct objectively amounted to a search and was not a permissible 'knock-and-talk,' the warrantless search violated Chute's Fourth Amendment rights." (at 581)

"Applying the Dunn factors to the unique facts of this case and then balancing them, we conclude that the area of Chute's backyard on which the camper was parked was 'so intimately tied to the home itself that it should be placed under the home's 'umbrella' of Fourth Amendment protections.'" (at 585)

"Anyone observing the officer's actions objectively would conclude that his purpose was not to question the resident of the house, but to inspect the camper, 'which is not what anyone would think he had license to do.'" (at 587)

FACTUAL BACKGROUND

A stolen pop-up camper was visible at the end of a well-worn dirt driveway in the backyard of Chute's suburban home, an area bordered on several sides by a privacy fence, pond, and trees. After confirming from the road that the camper matched the reported stolen trailer, a police officer drove onto the property, walked directly to the camper, inspected its license-plate area and VIN, entered it, and located the victim's property. The officer then contacted Chute, obtained consent to search the garage and home, and found additional stolen property.

PROCEDURAL HISTORY

Chute was charged with and convicted by a jury of possessing stolen property. The district court denied his motion to suppress, concluding that the driveway was impliedly open to the public and that the plain-view doctrine authorized the officer's access to and seizure of the camper. The Minnesota Court of Appeals reversed, holding that the officer lacked a lawful right of access because the camper was within the home's curtilage and

that the unlawful search tainted Chute's subsequent consent to search his home. The Minnesota Supreme Court granted the State's petition for review and affirmed the court of appeals.

DISPOSITION

affirmed

REMAND INSTRUCTIONS

The court affirmed the court of appeals' decision. The supplied opinion does not state additional remand instructions beyond the court of appeals' remand to the district court.

CASES CITED

- State v. Chute, 887 N.W.2d 834 (Minn. App. 2016)
- State v. Milton, 821 N.W.2d 789, 798-99 (Minn. 2012)
- State v. Crea, 305 Minn. 342, 233 N.W.2d 736, 739-40 (1975)
- Florida v. Jardines, 569 U.S. 1, 6-11, 21 (2013)
- Katz v. United States, 389 U.S. 347, 357, 360 (1967)
- State v. Licari, 659 N.W.2d 243, 250 (Minn. 2003)
- United States v. Jones, 565 U.S. 400, 404-06, 411-12 (2012)
- Oliver v. United States, 466 U.S. 170, 180, 182 n.12, 183 (1984)
- United States v. Dunn, 480 U.S. 294, 301 (1987)
- State v. Lewis, 270 N.W.2d 891, 897 (Minn. 1978)
- United States v. Carter, 360 F.3d 1235, 1241 (10th Cir. 2004)
- Dow Chemical Co. v. United States, 749 F.2d 307, 314 (6th Cir. 1984), aff'd, 476 U.S. 227 (1986)
- State v. Walker, 154 Wis. 2d 158, 453 N.W.2d 127, 138 (1990)
- Daughenbaugh v. City of Tiffin, 150 F.3d 594, 599 (6th Cir. 1998)
- United States v. Reilly, 76 F.3d 1271, 1277-78 (2d Cir. 1996)
- Widgren v. Maple Grove Township, 429 F.3d 575, 582 (6th Cir. 2005)
- United States v. Wells, 648 F.3d 671, 678-80 (8th Cir. 2011)
- United States v. Shuck, 713 F.3d 563, 567-68 (10th Cir. 2013)
- Northern States Power Co. v. Franklin, 265 Minn. 391, 122 N.W.2d 26, 30 (1963)
- State v. Jenkins, 782 N.W.2d 211, 223 (Minn. 2010)
- Covey v. Assessor of Ohio County, 777 F.3d 186, 193 (4th Cir. 2015)
- Carman v. Carroll, 749 F.3d 192, 199 (3d Cir. 2014), rev'd on other grounds, 135 S. Ct. 348 (2014)
- State v. Felix, 339 Wis. 2d 670, 811 N.W.2d 775, 790 (2012)
- Minnesota v. Dickerson, 508 U.S. 366, 375 (1993)
- Horton v. California, 496 U.S. 128, 134 (1990)
- State v. Hiebert, 156 Idaho 637, 329 P.3d 1085, 1092 (Idaho Ct. App. 2014)

