

UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

United States v. John D. Helton

United States v. John D. Helton, No. 21-5144 (6th Cir. May 24, 2022) · No. 21-5144 · Decided May 24, 2022

SUMMARY

The Sixth Circuit held that a search warrant affidavit lacked probable cause because it failed to establish the reliability of anonymous complaints and an informant's tip, and did not provide a sufficient nexus between the defendant's home and drug evidence. However, the good faith exception to the exclusionary rule under *United States v. Leon* applied because the affidavit was not "bare bones" and an objectively reasonable officer could rely on the warrant. The court also found no abuse of discretion in the district court's decision to excuse a juror who recognized a trial witness from her workplace and expressed equivocation about setting aside that personal knowledge. The judgment was affirmed.

CASE DETAILS

COURT	United States Court of Appeals for the Sixth Circuit
WRITING FOR THE COURT	Jane B. Stranch; Richard F. Suhrheinrich; Helene N. White
JURISDICTION	Federal
DECIDED	May 24, 2022
DOCKET	21-5144
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the district court's denial of a motion to suppress evidence and its decision to excuse a juror during trial.
STANDARD OF REVIEW	Factual findings reviewed for clear error; legal conclusions reviewed de novo; decision to excuse juror reviewed for abuse of discretion.
PRECEDENTIAL VALUE	published
PARTIES	John D. Helton v. United States of America

TOPICS

- fourth amendment
- search and seizure
- probable cause
- warrant requirement
- exclusionary rule
- jury selection

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the search warrant affidavit for Helton's home established probable cause and a nexus to the residence.
2. Whether the Leon good faith exception applied to the search warrant.
3. Whether the district court abused its discretion in excusing Juror 191 for cause.

HOLDINGS

1. The search warrant affidavit did not establish probable cause because it relied on tips lacking indicia of veracity and reliability without sufficient independent police corroboration and failed to establish a nexus between the residence and drug trafficking evidence.
2. The Leon good faith exception applied because the affidavit was not 'bare bones' and provided a minimally sufficient nexus for an officer to reasonably rely on the warrant, even though probable cause was lacking.
3. The district court did not abuse its discretion in excusing Juror 191 because it had reasonable cause based on the juror's equivocal responses and personal knowledge of a key witness.

KEY QUOTATIONS

“A bare-bones affidavit should not be confused with one that lacks probable cause. This is because [a]n affidavit cannot be labeled 'bare bones' simply because it lacks the requisite facts and inferences to sustain the magistrate's probable-cause finding.” (at 10)

“Under the good faith standard, the totality of the information in the affidavit provides 'some modicum of evidence' that drug dealing was occurring at Helton's home.” (at 12-13)

FACTUAL BACKGROUND

Deputy Sam Mullins sought a search warrant for Helton's home based on an affidavit stating there were 'numerous drug complaints' that Helton was selling methamphetamine and that a 'reliable source' saw a drug purchase at the residence. The affidavit also noted that when deputies executed an arrest warrant, Helton had a clear baggie with residue and small bills. The warrant was issued and executed, leading to the discovery of drugs, currency, and firearms. Evidence led to a second search warrant for his mother's home, where similar items were found. A juror was excused after disclosing she recognized a government witness from her workplace and had watched the witness for shoplifting.

PROCEDURAL HISTORY

Defendant Helton was indicted on federal drug and firearm charges. He moved to suppress evidence obtained from searches of his and his mother's homes. The magistrate judge recommended denial, and the district court adopted that recommendation. Helton was convicted after a jury trial and sentenced. He appealed.

DISPOSITION

affirmed

CASES CITED

- United States v. Leon, 468 U.S. 897 (1984)
- Illinois v. Gates, 462 U.S. 213 (1983)
- D.C. v. Wesby, 138 S. Ct. 577 (2018)
- United States v. Abernathy, 843 F.3d 243 (6th Cir. 2016)
- United States v. Prigmore, 15 F.4th 768 (6th Cir. 2021)
- United States v. Trice, 966 F.3d 506 (6th Cir. 2020)
- United States v. Hines, 885 F.3d 919 (6th Cir. 2018)
- United States v. May, 399 F.3d 817 (6th Cir. 2005)
- United States v. Higgins, 557 F.3d 381 (6th Cir. 2009)
- United States v. McCraven, 401 F.3d 693 (6th Cir. 2005)
- United States v. Woosley, 361 F.3d 924 (6th Cir. 2004)
- United States v. Moore, 661 F.3d 309 (6th Cir. 2011)
- United States v. Allen, 211 F.3d 970 (6th Cir. 2000) (en banc)
- United States v. Dyer, 580 F.3d 386 (6th Cir. 2009)
- United States v. Leake, 998 F.2d 1359 (6th Cir. 1993)
- United States v. Coffee, 434 F.3d 887 (6th Cir. 2006)
- United States v. Tuttle, 200 F.3d 892 (6th Cir. 2000)
- United States v. Carpenter, 360 F.3d 591 (6th Cir. 2004) (en banc)
- United States v. Brown, 828 F.3d 375 (6th Cir. 2016)
- United States v. Rodriguez-Suazo, 346 F.3d 637 (6th Cir. 2003)
- United States v. Laughton, 409 F.3d 744 (6th Cir. 2005)
- United States v. White, 874 F.3d 490 (6th Cir. 2017)
- United States v. Christian, 925 F.3d 305 (6th Cir. 2019) (en banc)
- United States v. Baker, 976 F.3d 636 (6th Cir. 2020)
- United States v. Gilbert, 952 F.3d 759 (6th Cir. 2020)
- United States v. De Oleo, 697 F.3d 338 (6th Cir. 2012)
- United States v. Bell, No. 20-1884, 2022 WL 59619 (6th Cir. Jan. 6, 2022)