

SUPREME COURT OF THE STATE OF IDAHO

State v. Blythe

Docket No. 46992 (Idaho May 4, 2020) · No. 46992 · Decided May 4, 2020

SUMMARY

The Idaho Supreme Court reviewed the denial of Nicholas Keith Blythe’s motion to suppress heroin discovered in his shoe during a traffic stop. The court held that the search was not justified as a search incident to arrest because it preceded the arrest and neither officer safety nor evidence preservation sufficiently supported the search. The court vacated Blythe’s conviction, reversed the suppression ruling, and remanded the case.

CASE DETAILS

COURT	Supreme Court of the State of Idaho
WRITING FOR THE COURT	Chief Justice Burdick; Justice Brody; Justice Bevan; Justice Stegner; Justice Moeller
JURISDICTION	Idaho
DECIDED	May 4, 2020
DOCKET	46992
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Blythe appealed from a judgment of conviction entered after the district court denied his motion to suppress heroin found inside his shoe during a traffic stop. He entered a conditional guilty plea, reserving his right to challenge the suppression ruling.
STANDARD OF REVIEW	The court applies a bifurcated standard: it accepts the trial court's factual findings unless clearly erroneous but freely reviews the application of constitutional principles to those facts.
PRECEDENTIAL VALUE	Published Idaho Supreme Court opinion; binding precedent in Idaho.
PARTIES	Nicholas Keith Blythe v. State of Idaho

TOPICS

- search and seizure
- fourth amendment
- suppression of evidence
- warrant requirement
- criminal procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the warrantless search of Blythe's shoes was a valid search incident to arrest under the Fourth Amendment when the search preceded the custodial arrest.
2. Whether probable cause to arrest, standing alone, justified the search of Blythe's shoes before his arrest.

HOLDINGS

1. A warrantless search that precedes a custodial arrest is not justified under the search-incident-to-arrest exception unless the officer-safety or evidence-preservation rationales underlying that exception were sufficiently present when the search occurred. Neither rationale was sufficiently present here, so the search of Blythe's shoes violated the Fourth Amendment.
2. Probable cause to arrest is a necessary prerequisite to a custodial arrest but does not, by itself, justify a search incident to arrest conducted before the arrest.

KEY QUOTATIONS

“When a search precedes the arrest, and the State argues that the search-incident-to-arrest exception applies, courts must look to the rationales that justify a search incident to arrest to determine whether the exception should apply to the search.” (at 7)

“Therefore, the district court erred in concluding that probable cause to arrest Blythe was all that was necessary for the search-incident-to-arrest exception to apply.” (at 9)

“Because the search took place before an arrest occurred, and because neither rationale justifying a search incident to arrest was sufficiently present here, the search of Blythe’s shoes was not a valid search incident to arrest.” (at 10)

FACTUAL BACKGROUND

At approximately 3:00 a.m., deputies stopped a vehicle in which Blythe was a passenger. A deputy observed a rolled dollar bill and tin foil associated, based on his training, with illicit drug use; the deputy removed Blythe from the vehicle and initially told him he was not under arrest. After the vehicle search produced suspected heroin, the deputies discussed questioning Blythe and his driver but did not indicate that Blythe's immediate arrest was planned. A deputy then ordered Blythe to remove his shoes, found two baggies containing suspected heroin in one shoe, handcuffed him, arrested him, and read him his Miranda rights.

PROCEDURAL HISTORY

Deputies stopped a vehicle for speeding and failing to stop at a designated stop line. After searching the vehicle and finding suspected heroin, a deputy ordered Blythe to remove his shoes and discovered additional suspected heroin inside one shoe. The district court rejected the State's consent theory but upheld the search as incident to arrest, denied suppression, and entered judgment after Blythe's conditional guilty plea. The Idaho Supreme Court vacated the conviction, reversed the suppression ruling, and remanded.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The conviction is vacated, the order denying the motion to suppress is reversed, and the case is remanded for further proceedings consistent with the opinion.

CASES CITED

- State v. Purdum, 147 Idaho 206, 207, 207 P.3d 182, 183 (2009)
- State v. Watts, 142 Idaho 230, 232, 127 P.3d 133, 135 (2005)
- State v. Diaz, 144 Idaho 300, 302, 160 P.3d 739, 741 (2007)
- State v. Wulff, 157 Idaho 416, 422, 337 P.3d 575, 581 (2014)
- Florida v. Jimeno, 500 U.S. 248, 250 (1991)
- State v. Henderson, 114 Idaho 293, 295, 756 P.2d 1057, 1059 (1988)
- Katz v. United States, 389 U.S. 347, 357 (1967)
- State v. Hansen, 151 Idaho 342, 346, 256 P.3d 750, 754 (2011)
- State v. Lee, 162 Idaho 642, 647-53, 402 P.3d 1095, 1100-06 (2017)
- Rawlings v. Kentucky, 448 U.S. 98, 111 (1980)
- Knowles v. Iowa, 525 U.S. 113, 116-19 (1998)
- Chimel v. California, 395 U.S. 752, 762-63 (1969)
- Maryland v. Wilson, 519 U.S. 408, 412 (1997)
- State v. Newsom, 132 Idaho 698, 700, 979 P.2d 100, 102 (1998)
- Terry v. Ohio, 392 U.S. 1 (1968)
- People v. Reid, 26 N.E.3d 237 (N.Y. 2014)
- State v. Taylor, 808 P.2d 324 (Ariz. Ct. App. 1990)
- People v. Macabeo, 384 P.3d 1189 (Cal. 2016)