

SUPREME JUDICIAL COURT OF MAINE

State v. Journet

191 A.3d 1181 (Me. 2018) · Decided August 14, 2018

SUMMARY

The Maine Supreme Judicial Court affirmed Michael Journet's conviction for aggravated trafficking of scheduled drugs. The court held that officers had probable cause to stop and arrest Journet without a warrant based on a cooperating individual's information, corroborating text messages, and police observations of the described vehicle and driver. The court therefore upheld the denial of Journet's motion to suppress the heroin and statements obtained after the arrest.

CASE DETAILS

COURT	Supreme Judicial Court of Maine
WRITING FOR THE COURT	Alexander, J.
JURISDICTION	Maine
DECIDED	August 14, 2018
DISPOSITION	affirmed
PROCEDURAL POSTURE	Journet entered a conditional guilty plea to aggravated trafficking of scheduled drugs after the motion court denied his motion to suppress evidence seized and statements made following his warrantless arrest. He appealed the suppression ruling under the conditional-plea procedure.
STANDARD OF REVIEW	When a motion court's finding of probable cause is challenged on appeal and no motion for further findings was filed, the court reviews the evidence in the entire record in the light most favorable to the motion court's order to determine whether the findings and conclusions are supported by the record.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	Michael Journet v. State of Maine

TOPICS

- probable cause
- warrant requirement
- suppression of evidence
- criminal procedure
- appellate procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the officers had probable cause to make a warrantless arrest of Journet for a felony drug offense.
2. Whether evidence seized and statements made after the arrest were subject to suppression because the arrest allegedly lacked probable cause.

HOLDINGS

1. The officers had probable cause to arrest Journet without a warrant because the collectively known facts and reasonably trustworthy information, including the corroborated informant information and officers' observations, would warrant a prudent and cautious person to believe that Journet was committing heroin trafficking.
2. The denial of Journet's motion to suppress was proper because the warrantless arrest was supported by probable cause.

KEY QUOTATIONS

“Because there was sufficient corroborated information to warrant any prudent and cautious person to believe that Journet was committing the offense of heroin trafficking, a felony, the trial court's denial of the motion to suppress must be affirmed.” (191 A.3d at 1187)

FACTUAL BACKGROUND

Police executed a search warrant at an Augusta residence and found illegal drugs. A cooperating individual at the residence told police that his supplier, a black man known as Troy, would arrive from the Portland area in a blue BMW SUV between 5:00 and 6:00 p.m. to deliver approximately ten grams of heroin, and text messages corroborated that the delivery was arranged. At about 6:40 p.m., officers saw a blue BMW SUV driven by a black man travel along the anticipated route, turn onto the dead-end street where the residence was located, and approach the residence. Police stopped the vehicle and arrested Journet, who later confessed to possessing heroin; a passenger later produced a baggie containing nearly ten grams of heroin.

PROCEDURAL HISTORY

Journet was charged in the Kennebec County trial court and later indicted on felony drug charges. Following a suppression hearing, the motion court denied his motion to suppress, concluding that the officers had probable cause to stop and arrest him. Journet then entered a conditional guilty plea to one aggravated-trafficking count; the court dismissed another aggravated-trafficking count, apparently dismissed the release-condition count, sentenced him to eight years' imprisonment with all but four years suspended, four years of probation, and a fine, and stayed execution of the sentence pending appeal. The Supreme Judicial Court of Maine affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Kierstead, 2015 ME 45, ¶ 2, 114 A.3d 984
- State v. Violette, 2016 ME 65, ¶¶ 3-4, 138 A.3d 491
- State v. Lagasse, 2016 ME 158, ¶¶ 13-14, 149 A.3d 1153
- State v. Parkinson, 389 A.2d 1, 8 (Me. 1978)
- Maryland v. Pringle, 540 U.S. 366, 370-71, 124 S. Ct. 795, 157 L. Ed. 2d 769 (2003)
- State v. Carr, 1997 ME 221, ¶ 7, 704 A.2d 353
- State v. Enggass, 571 A.2d 823, 825 (Me. 1990)
- State v. Heald, 314 A.2d 820, 828 (Me. 1973)
- State v. Commeau, 2004 ME 78, ¶ 21 n.10, 852 A.2d 70