

APPELLATE COURT OF ILLINOIS, FOURTH DISTRICT

People v. Redding

2020 IL App (4th) 190252 · No. 4-19-0252 · Decided June 22, 2020

SUMMARY

The Illinois Appellate Court, Fourth District, reviewed the suppression of evidence in a misdemeanor DUI prosecution. The court held that deputies had reasonable, articulable suspicion to stop the defendant’s vehicle based on dispatch information about his alleged involvement in a bar fight, the vehicle description, its location near the bar, and confirmation that it was registered to the defendant. The court rejected the trial court’s characterization of the information as an anonymous tip and reversed the suppression ruling.

CASE DETAILS

COURT	Appellate Court of Illinois, Fourth District
WRITING FOR THE COURT	Justice DeArmond; Presiding Justice Steigmann; Justice Harris
JURISDICTION	Illinois
DECIDED	June 22, 2020
DOCKET	4-19-0252
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	The State appealed an order of the Circuit Court of Macon County granting defendant's motion to quash arrest and suppress evidence in a misdemeanor DUI prosecution.
STANDARD OF REVIEW	The reviewing court examines the trial court's factual findings under the manifest-weight-of-the-evidence standard and reviews de novo the ultimate legal question whether the evidence should be suppressed.
PRECEDENTIAL VALUE	Published Illinois Appellate Court opinion; precedential.
PARTIES	The People of the State of Illinois v. Matthew Q. Redding

TOPICS

- fourth amendment
- search and seizure
- probable cause
- suppression of evidence
- criminal procedure

PRACTICE AREAS

- criminal procedure
- constitutional law
- appellate procedure
- evidence

QUESTIONS PRESENTED

1. Whether defendant made a prima facie showing that the traffic stop was unlawful.
2. Whether the information relayed through dispatch, together with the officers' corroboration and the ongoing investigation of a reported bar fight, supplied reasonable, articulable suspicion for the investigatory stop.
3. Whether the trial court improperly shifted the burden of proof to the State at the suppression hearing.
4. Whether the trial court erred by relying on the effectively anonymous-tip analysis in *People v. Holmes*.

HOLDINGS

1. The deputies had reasonable, articulable suspicion to conduct a temporary investigatory stop because dispatch reported a recent bar fight, identified defendant and his vehicle, Deputy Lewallen located a matching vehicle near the scene within minutes, confirmed its registration to defendant, and acted at the request of the officer investigating the fight.
2. Defendant failed to make a prima facie showing that the stop was unlawful; therefore, the trial court erred in granting the suppression motion.
3. The trial court's reliance on *People v. Holmes* was misplaced because Holmes's effectively anonymous-tip analysis misunderstood and misapplied *Alabama v. White* and did not properly apply a totality-of-the-circumstances analysis.

KEY QUOTATIONS

“For a traffic stop to comport with the reasonableness requirement of the constitutional guarantees, the police officer must have at least reasonable, articulable suspicion that a violation of the law has occurred.” (§ 21)

“A police officer has authority to briefly detain a person for investigatory purposes if the officer reasonably believes that person has committed or is about to commit a crime.” (§ 40)

FACTUAL BACKGROUND

A caller reported a fight between the Redding brothers at Sliderz Bar and Grill and told dispatch that one brother had left in a black Chevrolet Silverado. Approximately six minutes later, Deputy Lewallen located a matching truck near the bar, confirmed it was registered to defendant, and stopped it at the request of the deputy investigating the fight. After arriving, Deputy Burgener observed signs of alcohol impairment, conducted field sobriety tests, and arrested defendant for DUI.

PROCEDURAL HISTORY

Defendant was charged with misdemeanor driving under the influence of alcohol after deputies stopped his truck while investigating a reported bar fight. He moved to quash the arrest and suppress evidence, arguing the deputies lacked reasonable suspicion to stop his vehicle. The circuit court granted the motion, and the State appealed.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Remand for further proceedings consistent with the opinion.

CASES CITED

- People v. Brooks, 2017 IL 121413, ¶¶ 21-22, 104 N.E.3d 417
- People v. Gipson, 203 Ill. 2d 298, 306-07, 786 N.E.2d 540, 545 (2003)
- People v. Relwani, 2019 IL 123385, ¶¶ 17-18, 129 N.E.3d 1222
- Whren v. United States, 517 U.S. 806, 810 (1996)
- People v. Jones, 215 Ill. 2d 261, 270, 830 N.E.2d 541, 549 (2005)
- Terry v. Ohio, 392 U.S. 1, 21-22 (1968)
- People v. Gaytan, 2015 IL 116223, ¶ 20, 32 N.E.3d 641
- People v. Hill, 2019 IL App (4th) 180041, ¶ 17, 123 N.E.3d 1236
- People v. Timmsen, 2016 IL 118181, ¶ 9, 50 N.E.3d 1092
- Kansas v. Glover, 589 U.S. ___, 140 S. Ct. 1183, 1187-88 (2020)
- United States v. Cortez, 449 U.S. 411, 417-18 (1981)
- Ornelas v. United States, 517 U.S. 690, 695 (1996)
- People v. Dunmire, 2019 IL App (4th) 190316, ¶ 40
- People v. Holmes, 2019 IL App (1st) 160987, ¶¶ 2, 18, 21-22, 41-42, 55, 125 N.E.3d 1268
- Alabama v. White, 496 U.S. 325, 327-32 (1990)
- Illinois v. Gates, 462 U.S. 213, 227 (1983)
- Navarette v. California, 572 U.S. 393 (2014)
- People v. Eyler, 2019 IL App (4th) 170064, ¶ 30
- People v. Shafer, 372 Ill. App. 3d 1044, 1050, 868 N.E.2d 359, 363 (2007)
- People v. Lawson, 298 Ill. App. 3d 997, 1001, 1004, 700 N.E.2d 125, 129 (1998)
- People v. Bascom, 286 Ill. App. 3d 124, 127-28, 675 N.E.2d 1359, 1362 (1997)
- People v. Green, 2014 IL App (3d) 120522, ¶ 30, 19 N.E.3d 13
- People v. Wallace, 2015 IL App (3d) 130489, ¶ 38, 42 N.E.3d 945
- People v. Maxey, 2011 IL App (1st) 100011, ¶ 54, 949 N.E.2d 755
- People v. Hensley, 469 U.S. 221, 232-33 (1985)
- People v. Jackson, 348 Ill. App. 3d 719, 729, 810 N.E.2d 542, 553 (2004)
- People v. Lockhart, 311 Ill. App. 3d 358, 362, 724 N.E.2d 540, 543 (2000)
- People v. Close, 238 Ill. 2d 497, 505, 939 N.E.2d 463, 467 (2010)
- In re J.J., 183 Ill. App. 3d 381, 388, 539 N.E.2d 764, 768 (1989)

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