

SUPREME COURT OF ARKANSAS

Schneider v. State

2015 Ark. 152 (2015) · No. CR-14-1104 · Decided April 9, 2015

SUMMARY

The Arkansas Supreme Court reviewed Jordan Arie Schneider’s conditional guilty plea and held that a vehicle-color discrepancy, without additional evidence of criminal activity, did not create reasonable suspicion sufficient to justify a traffic stop. The court reversed and remanded the sentencing order and vacated the Arkansas Court of Appeals opinion.

CASE DETAILS

COURT	Supreme Court of Arkansas
WRITING FOR THE COURT	Robin F. Wynne
JURISDICTION	Arkansas
DECIDED	April 9, 2015
DOCKET	CR-14-1104
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Appellant entered a conditional guilty plea after the circuit court denied his motion to suppress evidence seized following a traffic stop. The court of appeals affirmed, and the Arkansas Supreme Court granted review.
STANDARD OF REVIEW	The court reviewed the denial of the motion to suppress de novo based on the totality of the circumstances, reviewing historical factual findings for clear error and deferring to the circuit court's superior position on witness credibility and conflicts in testimony.
PRECEDENTIAL VALUE	Published Arkansas Supreme Court opinion; binding precedent in Arkansas.
PARTIES	Jordan Arie Schneider v. State of Arkansas

TOPICS

- suppression of evidence
- fourth amendment
- criminal procedure
- appellate procedure
- standard of review

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether a discrepancy between a vehicle's observed color and the color listed on its registration, standing alone and without evidence connecting the discrepancy to criminal activity, creates reasonable suspicion sufficient to justify a traffic stop under Arkansas law.
2. Whether the circuit court erred in denying Schneider's motion to suppress evidence seized as a result of the stop.

HOLDINGS

1. A discrepancy between the observed color of a vehicle and the color listed on its registration, standing alone, does not create reasonable suspicion of criminal activity sufficient to justify a traffic stop when the record contains no evidence that the discrepancy is indicative of criminal conduct.
2. Because the traffic stop was not supported by reasonable suspicion, the circuit court erred by denying Schneider's motion to suppress.

KEY QUOTATIONS

“There was, therefore, no evidence before the circuit court that a color discrepancy was indicative of any criminal activity that would possibly allow otherwise innocent behavior to give rise to a reasonable suspicion of criminal activity.” (at 5)

“It is clear, based on the testimony at the suppression hearing, that Officer Wiens was acting on a purely conjectural suspicion that appellant was engaged in illegal activity at the time he initiated the traffic stop.” (at 6)

FACTUAL BACKGROUND

At approximately 1:00 a.m., Officer Dustin Wiens observed Schneider drive past and ran the vehicle's license plate. The registration identified a blue 1992 Chevrolet Camaro, while Wiens observed a red vehicle with a black bumper and stopped it solely because of the color discrepancy. Wiens testified that he intended to investigate whether the vehicle had been painted or stolen, but he did not testify that, based on his experience, color discrepancies indicated vehicle theft or other criminal activity. The vehicle contained evidence supporting charges of possession of a controlled substance and drug paraphernalia.

PROCEDURAL HISTORY

Schneider was charged in Benton County District Court with possession of a controlled substance and possession of drug paraphernalia and pleaded guilty. He appealed to Benton County Circuit Court, where he moved to suppress evidence from a vehicle stop based solely on a discrepancy between the vehicle's observed color and the color listed on its registration. The circuit court denied suppression, and Schneider entered a conditional guilty plea under Arkansas Rule of Criminal Procedure 24.3. The Arkansas Court of Appeals affirmed; the Arkansas Supreme Court granted review, reversed the circuit court's sentencing order, and vacated the court of appeals' opinion.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The case was remanded to the circuit court after reversal of its sentencing order. The Arkansas Supreme Court also vacated the court of appeals' opinion.

CASES CITED

- Schneider v. State, 2014 Ark. App. 711, 492 S.W.3d 601
- Fowler v. State, 2010 Ark. 431, 371 S.W.3d 677
- Pickering v. State, 2012 Ark. 280, 412 S.W.3d 143
- Menne v. State, 2012 Ark. 37, 386 S.W.3d 451
- Malone v. State, 364 Ark. 256, 263, 217 S.W.3d 810, 814 (2005)
- Van Teamer v. State, 108 So. 3d 664 (Fla. App. Dist. 2013)
- United States v. Uribe, 709 F.3d 646 (7th Cir. 2013)
- Andrews v. State, 658 S.E.2d 126 (Ga. Ct. App. 2008)
- Smith v. State, 713 N.E.2d 338 (Ind. App. 1999)
- State v. Teamer, 151 So. 3d 421, 427 (Fla. 2014)
- United States v. Sokolow, 490 U.S. 1, 10 (1989)