

FIRST DISTRICT COURT OF APPEAL OF FLORIDA

State of Florida v. Cedrick Powell

No. 1D2024-0351 · No. 1D2024-0351 · Decided August 6, 2025

SUMMARY

The First District Court of Appeal of Florida held that the trooper had an objectively reasonable basis to conduct an investigatory traffic stop based on a reasonable suspicion that Powell was driving without a valid license. The court further held that the odor of marijuana, Powell's statements, and the surrounding circumstances supplied probable cause to search the vehicle without a warrant. The court vacated the order granting suppression and remanded for further proceedings.

CASE DETAILS

COURT	First District Court of Appeal of Florida
WRITING FOR THE COURT	Tanenbaum, J.; Kelsey, J.; M.K. Thomas, J.
JURISDICTION	Florida First District Court of Appeal
DECIDED	August 6, 2025
DOCKET	1D2024-0351
DISPOSITION	vacated
PROCEDURAL POSTURE	The State took an interlocutory appeal from the circuit court's order granting Powell's motion to suppress evidence and statements obtained during a traffic stop and vehicle search.
STANDARD OF REVIEW	The appellate court reviewed the trial court's legal determination regarding the constitutional validity of the traffic stop and search de novo, while considering the underlying historical facts from the suppression record.
PRECEDENTIAL VALUE	Published opinion; precedential
PARTIES	State of Florida v. Cedrick Powell

TOPICS

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

PRACTICE AREAS

- criminal procedure
- constitutional law
- search and seizure
- appellate procedure

QUESTIONS PRESENTED

1. Whether the traffic stop was lawful when the trooper had an objectively reasonable basis to suspect that Powell was driving without a valid license, notwithstanding any subjective or pretextual motivation.
2. Whether the odor of marijuana, together with the surrounding circumstances and Powell's statements, supplied probable cause for a warrantless search of the vehicle.

HOLDINGS

1. A traffic stop is constitutionally reasonable when the officer has a particularized and objective basis to suspect a traffic or criminal-law violation; the officer's subjective motivation or alleged pretext does not invalidate the stop.
2. The odor of marijuana, considered together with the surrounding circumstances and Powell's admission that he had smoked marijuana in the vehicle while lacking a medical marijuana card, supplied probable cause to search the vehicle without a warrant.

KEY QUOTATIONS

“Subjective intentions play no role in the Fourth Amendment analysis.” (5)

“The stop was justified.” (7)

“The trooper had an objectively reasonable basis for conducting the traffic stop and, during the ensuing investigation into the reason for the stop, the trooper developed probable cause sufficient to justify his searching Powell’s car.” (9)

FACTUAL BACKGROUND

A Florida Highway Patrol trooper observed Powell driving a Louisiana-registered vehicle and, after checking the registration, learned that the vehicle was registered to Powell, who appeared to have only an expired Louisiana identification card rather than a valid driver's license. The trooper stopped Powell to investigate suspected unlicensed driving and later detected the odor of fresh marijuana from the vehicle. Powell admitted that he had smoked marijuana in the car the prior evening and said he did not have a medical marijuana card. The trooper searched the vehicle and found thirteen grams of marijuana and less than one gram of ecstasy.

PROCEDURAL HISTORY

Powell was charged with possession and bringing controlled substances and cannabis into Florida. Before trial, he moved to suppress the evidence and statements, arguing that the stop, detention, and search were unlawful. The circuit court granted suppression after finding that the stop was pretextual. The First District vacated that order and remanded for further proceedings.

DISPOSITION

vacated

REMAND INSTRUCTIONS

Vacate the order granting Powell's motion to suppress and remand for further proceedings.

CASES CITED

- Whren v. United States, 517 U.S. 806 (1996)
- Delaware v. Prouse, 440 U.S. 648 (1979)
- State v. Jones, 483 So. 2d 433 (Fla. 1986)
- United States v. Brignoni-Ponce, 422 U.S. 873 (1975)
- Arizona v. Johnson, 555 U.S. 323 (2009)
- Rodriguez v. United States, 575 U.S. 348 (2015)
- Kansas v. Glover, 589 U.S. 376 (2020)
- Dobrin v. Fla. Dep't of High. Saf. & Motor Veh., 874 So. 2d 1171 (Fla. 2004)
- Holland v. State, 696 So. 2d 757 (Fla. 1997)
- United States v. Cortez, 449 U.S. 411 (1981)
- Cresswell v. State, 564 So. 2d 480 (Fla. 1990)
- Terry v. Ohio, 392 U.S. 1 (1968)
- Illinois v. Wardlow, 528 U.S. 119 (2000)
- United States v. Arvizu, 534 U.S. 266 (2002)
- State v. Baez, 894 So. 2d 115 (Fla. 2004)
- State v. Butler, 655 So. 2d 1123 (Fla. 1995)
- Ornelas v. United States, 517 U.S. 690 (1996)
- Katz v. United States, 389 U.S. 347 (1967)
- Carroll v. United States, 267 U.S. 132 (1925)
- United States v. Ross, 456 U.S. 798 (1982)
- Pennsylvania v. Labron, 518 U.S. 938 (1996)
- State v. Betz, 815 So. 2d 627 (Fla. 2002)
- Florida v. Harris, 568 U.S. 237 (2013)
- District of Columbia v. Wesby, 583 U.S. 48 (2018)