

INDIANA SUPREME COURT

Facundo Ramos-Osario v. State of Indiana

Indiana Supreme Court Case No. 26S-CR-198 · No. 26S-CR-198 · Decided June 24, 2026

SUMMARY

The Indiana Supreme Court held that the State need not prove constitutional compliance a second time at trial after prevailing at a pretrial suppression hearing. Trial and appellate courts may consider evidence from both the suppression hearing and trial when evaluating the constitutionality of a search or seizure. Applying that rule, the court held that the traffic stop of Facundo Ramos-Osario was supported by reasonable suspicion under the Fourth Amendment and reasonable under Article 1, Section 11 of the Indiana Constitution, and affirmed his conviction.

CASE DETAILS

COURT	Indiana Supreme Court
WRITING FOR THE COURT	Justice Molter; Chief Justice Rush; Justice Goff; Justice Slaughter; Justice Massa
JURISDICTION	Indiana Supreme Court
DECIDED	June 24, 2026
DOCKET	26S-CR-198
DISPOSITION	affirmed
PROCEDURAL POSTURE	The Indiana Supreme Court granted the State's petition to transfer from the Indiana Court of Appeals and reviewed Ramos-Osario's conviction for operating a vehicle with an alcohol concentration equivalent of .08 or more. The appeal challenged the admission of evidence obtained during a traffic stop after the trial court denied a motion to suppress.
STANDARD OF REVIEW	Evidentiary rulings are generally reviewed for abuse of discretion. When the evidentiary challenge implicates the constitutionality of a search or seizure, the constitutional question is reviewed de novo. The Court may affirm on any basis supported by the record.
PRECEDENTIAL VALUE	published
PARTIES	Facundo Ramos-Osario v. State of Indiana

TOPICS

suppression of evidence

fourth amendment

search and seizure

criminal procedure

appellate procedure

PRACTICE AREAS

criminal procedure

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evidence

QUESTIONS PRESENTED

1. Whether the traffic stop violated Article 1, Section 11 of the Indiana Constitution.
2. Whether the traffic stop violated the Fourth Amendment because Officer Solares lacked reasonable suspicion.
3. Whether the trial and appellate courts may consider evidence from both the pretrial suppression hearing and the trial when evaluating the constitutionality and admissibility of evidence from the stop.
4. Whether the State was required to prove constitutional compliance a second time at trial after prevailing at the suppression hearing.

HOLDINGS

1. The stop was reasonable under Article 1, Section 11 because, considering the totality of the circumstances, the officers had a high degree of suspicion based on hearing gunshots and seeing muzzle flashes from Ramos-Osario's truck, the stop was moderately intrusive, and law-enforcement needs in investigating gunfire were substantial.
2. The stop did not violate the Fourth Amendment because Officer Solares had reasonable suspicion supported by articulable facts that criminal activity was occurring when he heard gunshots, heard them sounding closest as the truck passed, observed that the truck was the only vehicle on the road, and saw muzzle flashes coming from it.
3. After the State establishes at a pretrial suppression hearing that evidence was constitutionally obtained, it need not prove constitutional compliance a second time at trial. When a defendant renews the suppression issue, the trial court may consider both suppression-hearing and trial evidence, and the appellate court may likewise consider both when reviewing the constitutional question.

KEY QUOTATIONS

“We hold that constitutionally obtained evidence should not be suppressed in those circumstances because suppression would not advance the rule’s aims.” (at 1)

“Accordingly, consistent with Magley, we hold that the State does not have to demonstrate constitutional compliance a second time at trial and that, when determining whether challenged evidence is admissible at trial, the trial judge can consider evidence from both the suppression hearing and trial.” (at 9)

“Instead, when reviewing suppression issues, appellate courts, like trial courts, can consider evidence from both the suppression hearing and trial.” (at 11)

FACTUAL BACKGROUND

At approximately 2:00 a.m., Officer Welter Solares heard gunfire and saw muzzle flashes coming from a black truck as it passed him on Harding Street in Indianapolis. He stopped the truck, and Officer Cameron Hester assisted, removing and handcuffing the occupants. Hester observed that Ramos-Osario smelled of alcohol and had glassy eyes; field sobriety and breath testing indicated intoxication, and a later chemical test showed a blood alcohol concentration above .08. Solares testified at the suppression hearing but not at trial.

PROCEDURAL HISTORY

Ramos-Osario moved to suppress evidence from the traffic stop under the Fourth Amendment and Article 1, Section 11 of the Indiana Constitution. After a suppression hearing, the magistrate found the stop constitutional and denied the motion. A different judge conducted a bench trial, admitted evidence over renewed objections, found Ramos-Osario guilty, and imposed a sixty-day sentence with fifty-two days suspended. The Indiana Court of Appeals reversed, but the Indiana Supreme Court granted transfer, vacated the Court of Appeals opinion, and affirmed the conviction.

DISPOSITION

affirmed

CASES CITED

- Ramos-Osario v. State, 257 N.E.3d 32 (Ind. Ct. App. 2025)
- Nicholson v. State, 963 N.E.2d 1098, 1099 (Ind. 2012)
- Guilmette v. State, 14 N.E.3d 38, 40-41 (Ind. 2014)
- Means v. State, 201 N.E.3d 1158, 1163-64 (Ind. 2023)
- Marshall v. State, 117 N.E.3d 1254, 1258-59, 1262 (Ind. 2019)
- Litchfield v. State, 824 N.E.2d 356, 359, 361 (Ind. 2005)
- Alexander-Woods v. State, 163 N.E.3d 902, 912 (Ind. Ct. App. 2021)
- Bunnell v. State, 172 N.E.3d 1231 (Ind. 2021)
- State v. Washington, 898 N.E.2d 1200, 1206 (Ind. 2008)
- Robinson v. State, 5 N.E.3d 362, 367 (Ind. 2014)
- Magley v. State, 335 N.E.2d 811, 821-22 (Ind. 1975)
- Smith v. State, 689 N.E.2d 1238 (Ind. 1997)
- Commonwealth v. DeMichel, 277 A.2d 159, 162 (Pa. 1971)
- People v. Jones, 472 N.E.2d 1176, 1181 (Ill. App. Ct. 1984)
- State v. Pope, 224 N.W.2d 521, 525 (Neb. 1974)
- Bays v. Commonwealth, 486 S.W.2d 706, 708 (Ky. 1972)
- Jackson v. State, 735 N.E.2d 1146, 1152 (Ind. 2000)
- State v. Adams, 762 N.E.2d 728, 730 (Ind. 2002)
- Herring v. United States, 555 U.S. 135, 141 (2009)
- United States v. Howell, 958 F.3d 589, 595 (7th Cir. 2020)

- United States v. Willis, 826 F.3d 1265, 1270 (10th Cir. 2016)
- State v. Finster, 963 S.W.2d 414, 417 (Mo. Ct. App. 1998)
- United States v. de Jesus-Rios, 990 F.2d 672, 675 n.2 (1st Cir. 1993)
- United States v. Hicks, 978 F.2d 722, 724-25 (D.C. Cir. 1992)
- State v. Shiffermiller, 922 N.W.2d 763, 772 (Neb. 2019)
- People v. Slater, 886 N.E.2d 986, 994 (Ill. 2008)
- Kelley v. State, 825 N.E.2d 420, 426 (Ind. Ct. App. 2005)
- Carpenter v. State, 18 N.E.3d 998, 1001 (Ind. 2014)
- Clark v. State, 994 N.E.2d 252, 259 n.9 (Ind. 2013)
- Ramirez v. State, 174 N.E.3d 181, 189, 190 n.2 (Ind. 2021)

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