

LOUISIANA COURT OF APPEAL, FIRST CIRCUIT

State of Louisiana v. Edward D. Schertler, II

No. 2025 KW 1286 · No. 2025 KW 1286 · Decided March 9, 2026

SUMMARY

The Louisiana Court of Appeal, First Circuit, granted the State's supervisory writ and reversed the district court's ruling granting Edward D. Schertler II's motion to suppress. The court held that, under the totality of the circumstances, the search-warrant affidavit provided a substantial basis for finding probable cause and remanded for further proceedings.

CASE DETAILS

COURT	Louisiana Court of Appeal, First Circuit
WRITING FOR THE COURT	Miller; Edwards; Fields
JURISDICTION	Louisiana Court of Appeal, First Circuit
DECIDED	March 9, 2026
DOCKET	2025 KW 1286
DISPOSITION	writ_granted
PROCEDURAL POSTURE	The State of Louisiana applied for supervisory writs after the Seventeenth Judicial District Court, Parish of Lafourche, granted the defendant's motion to suppress.
STANDARD OF REVIEW	Probable cause for a search warrant is assessed under the totality of the circumstances, with deference to the issuing determination; review of the affidavit's sufficiency should not take the form of de novo review. The reviewing court asks whether there was a substantial basis for concluding that probable cause existed.
PRECEDENTIAL VALUE	unknown
PARTIES	State of Louisiana v. Edward D. Schertler, II

TOPICS

- probable cause
- warrant requirement
- suppression of evidence
- search and seizure
- appellate procedure

PRACTICE AREAS

- Criminal procedure
- Search and seizure
- Appellate procedure

QUESTIONS PRESENTED

1. Whether the search-warrant affidavit established probable cause under the totality of the circumstances.
2. Whether the district court erred by granting the defendant's motion to suppress.

HOLDINGS

1. Probable cause existed because, under the totality of the circumstances, the facts and circumstances known to the affiant and supported by reasonably trustworthy information provided a substantial basis for concluding that an offense had been committed and that evidence or contraband might be found at the place to be searched.
2. The district court erred in granting the motion to suppress because the search warrant was supported by probable cause.

KEY QUOTATIONS

“Probable cause sufficient to issue a search warrant exists when the facts and circumstances within the affiant’s knowledge and of which he has reasonably trustworthy information, are sufficient to support a reasonable belief that an offense has been committed and that evidence or contraband may be found at the place to be searched.”

“The process of determining probable cause for the issuance of a warrant does not involve certainties or proof beyond a reasonable doubt, or even a prima facie showing, but rather involves probabilities of human behavior, as understood by persons trained in law enforcement and as based on the totality of the circumstances.”

“After the fact scrutiny by courts of the sufficiency of an affidavit should not take the form of de novo review.”

FACTUAL BACKGROUND

The State sought review of a district-court ruling that granted Edward D. Schertler's motion to suppress. The suppression ruling concerned probable cause supporting a search warrant. Reviewing the totality of the circumstances, the appellate court found a substantial basis for concluding that probable cause existed.

PROCEDURAL HISTORY

The district court granted the defendant's motion to suppress evidence obtained pursuant to a search warrant. The Louisiana Court of Appeal, First Circuit, granted the State's supervisory-writ application, reversed the suppression ruling, and remanded for further proceedings.

DISPOSITION

writ_granted

REMAND INSTRUCTIONS

The matter is remanded to the district court for further proceedings.

CASES CITED

- State v. Casey, 99-0023 (La. 1/26/00), 775 So. 2d 1022, 1027-28
- 531 U.S. 840, 121 S. Ct. 104, 148 L. Ed. 2d 62 (2000)
- State v. Lurding, 2021-0430 (La. App. 1st Cir. 12/22/21), 340 So. 3d 97, 101
- 2022-00147 (La. 3/15/22), 334 So. 3d 392
- Illinois v. Gates, 462 U.S. 213, 103 S. Ct. 2317, 76 L. Ed. 2d 527 (1983)
- State v. Green, 2002-1022 (La. 12/4/02), 831 So. 2d 962, 969

OPINION

PER CURIAM.

STATE OF LOUISIANA COURT OF APPEAL, FIRST CIRCUIT STATE OF LOUISIANA NO. 2025 KW 1286 VERSUS EDWARD D. SCHERTLER, IL MARCH 9, 2026 In Re: State of Louisiana, applying for supervisory writs, 17th Judicial District Court, Parish of Lafourche, Nos. 630731, 630732. BEFORE: MILLER, EDWARDS, AND FIELDS, JJ. WRIT GRANTED.

The district court's ruling granting defendant's motion to suppress is reversed and this matter is remanded to the district court for further proceedings. Probable cause sufficient to issue a search warrant exists when the facts and circumstances within the affiant's knowledge and of which he has reasonably trustworthy information, are sufficient to support a reasonable belief that an offense has been committed and that evidence or contraband may be found at the place to be searched.

State v. Casey, 99-0023 (La. 1/26/00), 775 So.2d 1022, 1027-28, cert. denied, 531 U.S. 840, 121 S.Ct. 104, 148 L.Ed.2d 62 (2000). The process of determining probable cause for the issuance of a warrant does not involve certainties or proof beyond a reasonable doubt, or even a prima facie showing, but rather involves probabilities of human behavior, as understood by persons trained in law enforcement and as based on the totality of the circumstances.

State v. Lurding, 2021-0430 (La. App. 1st Cir. 12/22/21), 340 So.3d 97, 101, writ denied, 2022-00147 (La. 3/15/22), 334 So.3d 392. In this case, based on the totality of the circumstances, we find there was a "substantial basis" for concluding probable cause existed. Illinois v. Gates, 462 U.S. 213, 103 S.Ct. 2317, 76 L.Ed.2d 527 (1983); State v. Green, 2002- 1022 (La.

12/4/02), 831 So.2d 962, 969. After the fact scrutiny by courts of the sufficiency of an affidavit should not take the form of de novo review. Gates, 462 U.S. at 236, 103 S.Ct. at 2331. Accordingly, the district court erred in granting the motion to suppress. SMM BDE FOR THE COURT