

COURT OF APPEALS OF OHIO, ELEVENTH APPELLATE DISTRICT, LAKE COUNTY

State v. Vance

2026-Ohio-876 · No. 2025-L-087 · Decided March 16, 2026

SUMMARY

The Ohio Eleventh District Court of Appeals affirmed Devon M. Vance's convictions following her no-contest pleas to aggravated possession of drugs and possession of drugs. The court held that the traffic stop was supported by reasonable suspicion and probable cause based on observed traffic violations, and that subsequent circumstances supported extending the stop, searching the vehicle, and arresting Vance. The court rejected her Fourth Amendment challenge to the evidence seized from her vehicle and person.

CASE DETAILS

COURT	Court of Appeals of Ohio, Eleventh Appellate District, Lake County
WRITING FOR THE COURT	John J. Eklund; Matt Lynch; Eugene A. Lucci
JURISDICTION	Ohio Court of Appeals, Eleventh Appellate District, Lake County
DECIDED	March 16, 2026
DOCKET	2025-L-087
DISPOSITION	affirmed
PROCEDURAL POSTURE	Criminal appeal from the Lake County Court of Common Pleas following Vance's no-contest pleas to aggravated possession of drugs and possession of drugs. Vance challenged the denial of her motion to suppress evidence seized during a traffic stop, vehicle search, and search incident to arrest.
STANDARD OF REVIEW	Review of a motion to suppress presents a mixed question of law and fact. The appellate court accepts factual findings supported by competent, credible evidence and reviews the application of law to those facts de novo.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	Devon M. Vance v. State of Ohio

TOPICS

suppression of evidence

fourth amendment

search and seizure

probable cause

appellate procedure

PRACTICE AREAS

criminal procedure

constitutional law

appellate procedure

evidence

QUESTIONS PRESENTED

1. Whether the detective had reasonable articulable suspicion or probable cause to stop Vance's vehicle based on observed traffic violations.
2. Whether the detective lawfully extended the traffic stop after learning that Vance's passenger had an active arrest warrant and observing Vance's suspicious conduct.
3. Whether the detective had probable cause to search the vehicle after Vance admitted concealing a scale that, under the circumstances, appeared to be a drug scale.
4. Whether the subsequent search of Vance's person was lawful as a search incident to arrest.
5. Whether the absence of dash-camera or body-camera footage rendered the traffic stop and searches constitutionally unreasonable.

HOLDINGS

1. The traffic stop was lawful because the detective's direct observation of two traffic violations established at least reasonable articulable suspicion and, to the extent necessary, probable cause.
2. The absence of dash-camera or body-camera footage did not render the stop constitutionally invalid where the trial court credited the detective's testimony.
3. The detective lawfully extended the traffic stop to investigate Vance's conduct because the passenger's active arrest warrant and Vance's suspicious efforts to conceal items created reasonable articulable suspicion of additional criminal activity.
4. The detective had probable cause to search Vance's vehicle after she admitted concealing a scale and, under the totality of the circumstances, the detective reasonably understood it to be a small scale used to weigh narcotics.
5. Although the trial court incorrectly stated that reasonable suspicion alone could support the vehicle search, the error did not require reversal because the appellate court affirmed the judgment on the independent ground that probable cause existed.
6. The search of Vance's person was lawful as a search incident to arrest because discovery of the drug scale with suspected residue and the methamphetamine pipe supplied probable cause to arrest her for possession of drug paraphernalia.

KEY QUOTATIONS

“Where a single witness, if believed, can sustain a criminal conviction, then a single witness, if believed, can establish a lawful basis to conduct a traffic stop, perform a probable cause search, and effect an arrest under the Fourth Amendment.” (¶ 39)

“An officer must have probable cause to conduct a warrantless search of a vehicle, not merely a reasonable suspicion.” (¶ 45)

“At this point, given the totality of the circumstances already mentioned and Appellant’s admission that she had removed a scale from her purse, which under the circumstances Detective Swindell believed was a small digital scale used for weighing narcotics, he had probable cause to justify a search of Appellant’s vehicle.” (¶ 48)

FACTUAL BACKGROUND

A Mentor police detective observed Vance make a right turn on red from a lane other than the curb lane and cross double yellow lines, leading him to stop her vehicle. During the stop, the detective learned that Vance's passenger had an active arrest warrant and observed Vance removing items from her purse and attempting to conceal them behind a seat. Vance admitted she was hiding a scale; the detective believed it was a small drug-weighing scale, located it with suspected drug residue, and found a methamphetamine pipe in her purse. A subsequent search incident to arrest revealed methamphetamine and other items on Vance's person.

PROCEDURAL HISTORY

A Lake County grand jury indicted Vance on aggravated possession of methamphetamine and possession of naloxone. The trial court denied her motion to suppress after a hearing, accepted her no-contest pleas, and imposed concurrent prison sentences. Vance appealed, asserting that the traffic stop and subsequent searches violated the Fourth Amendment. The Eleventh District affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Burnside, 2003-Ohio-5372, ¶ 8
- State v. Mills, 62 Ohio St.3d 357, 366 (1992)
- State v. Belton, 2016-Ohio-1581, ¶ 100
- State v. Hoffman, 2014-Ohio-4795, ¶ 11
- State v. Brown, 2020-Ohio-5140, ¶ 8 (11th Dist.)
- Katz v. United States, 389 U.S. 347, 357 (1967)
- State v. Banks-Harvey, 2018-Ohio-201, ¶ 18
- State v. Adams, 2015-Ohio-3954, ¶ 181
- Mapp v. Ohio, 367 U.S. 643 (1961)
- State v. Eggleston, 2015-Ohio-958, ¶ 17 (11th Dist.)
- State v. Casey, 2014-Ohio-2586, ¶ 29 (12th Dist.)
- Terry v. Ohio, 392 U.S. 1 (1968)
- State v. Dunlap, 2024-Ohio-4821, ¶ 16

- State v. Gray, 2000 WL 973411, *2 (11th Dist. July 14, 2000)
- State v. Bobo, 37 Ohio St.3d 177 (1988)
- Illinois v. Gates, 462 U.S. 213, 232 (1983)
- Maumee v. Weisner, 1999-Ohio-68, ¶ 14
- United States v. Sokolow, 490 U.S. 1, 7 (1989)
- State v. Freeman, 64 Ohio St.2d 291, 295 (1980)
- Rodriguez v. United States, 575 U.S. 348, 354-355 (2015)
- State v. Batchili, 2007-Ohio-2204, ¶ 12
- Illinois v. Caballes, 543 U.S. 405, 408 (2005)
- Arizona v. Johnson, 555 U.S. 323, 333 (2009)
- State v. Robinette, 1997-Ohio-343, ¶¶ 27, 30
- State v. Evans, 67 Ohio St.3d 405, 408 (1993)
- United States v. Hall, 525 F.2d 857, 859 (D.C. Cir. 1976)
- State v. Moore, 2000-Ohio-10, ¶¶ 6, 9-10
- State v. McCorvey, 2011-Ohio-3627, ¶ 18 (11th Dist.)
- Brinegar v. United States, 338 U.S. 160, 175-176 (1949)
- Carroll v. United States, 267 U.S. 132, 161 (1925)
- State v. Welch, 18 Ohio St.3d 88, 92 (1985)
- State v. Hynde, 2005-Ohio-1416, ¶ 10 (11th Dist.)
- Heien v. North Carolina, 574 U.S. 54, 61 (2014)
- In re Miller, 2002-Ohio-3360, ¶ 48 (11th Dist.)
- State v. Bryant, 2022-Ohio-3669, ¶ 31 (8th Dist.)
- State v. Lopez, 2011-Ohio-182, ¶ 62 (8th Dist.)
- State v. Bradley, 2020-Ohio-3460, ¶ 34 (8th Dist.)
- Geneva v. Fende, 2009-Ohio-6380, ¶ 33 (11th Dist.)