

LOUISIANA COURT OF APPEAL, FOURTH CIRCUIT

State of Louisiana v. Tremel Boss

Boss · No. 2026-K-0026 · Decided March 13, 2026

SUMMARY

The Louisiana Fourth Circuit Court of Appeal reviewed the State’s application for supervisory writs concerning the suppression of evidence seized from Tremel Boss. The court held that the trooper had probable cause and reasonable suspicion based on Boss’s face-covering and the surrounding circumstances, and that the ensuing search was constitutionally permissible as incident to a lawful arrest. The court granted the writ and reversed the district court’s ruling.

CASE DETAILS

COURT	Louisiana Court of Appeal, Fourth Circuit
WRITING FOR THE COURT	Judge Tiffany Gautier Chase; Judge Joy Cossich Lobrano; Judge Sandra Cabrina Jenkins
JURISDICTION	Louisiana Court of Appeal, Fourth Circuit
DECIDED	March 13, 2026
DOCKET	2026-K-0026
DISPOSITION	reversed
PROCEDURAL POSTURE	The State sought supervisory review of the district court's ruling finding no probable cause and granting Boss's omnibus motion to suppress statements, evidence, and identification.
STANDARD OF REVIEW	Whether probable cause for an arrest or reasonable suspicion for an investigatory stop exists is determined objectively, based on all information known collectively to the law enforcement personnel involved.
PRECEDENTIAL VALUE	Published Louisiana Court of Appeal opinion
PARTIES	State of Louisiana v. Tremel Boss

TOPICS

- probable cause
- search and seizure
- suppression of evidence
- criminal procedure
- statutory interpretation

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the trooper had probable cause to stop and arrest Boss based on his observed violation of Louisiana's prohibition against wearing a mask or other facial disguise in public.
2. Whether the search of Boss's person that produced the firearm and Percocet pills was valid as a search incident to a lawful arrest.
3. Whether the totality of the circumstances supplied legal justification for the investigatory stop.

HOLDINGS

1. The trooper had probable cause to arrest Boss because he directly observed conduct constituting a violation of La. R.S. 14:313; the statutory exception for carnival parades or Mardi Gras festivities did not eliminate the probable-cause inquiry in these circumstances.
2. The search of Boss's person was constitutionally permissible as a search incident to a lawful arrest because probable cause to arrest existed before the search, even though the search immediately preceded the formal arrest.
3. The investigatory stop was legally justified because Boss wore a full-face ski mask in the French Quarter shortly after a terrorist attack, circumstances that supported a reasonable law-enforcement concern despite the individual's privacy interest.

KEY QUOTATIONS

“The determination of whether probable cause exists for an arrest or reasonable suspicion for an investigatory stop is an objective inquiry that considers all of the information known collectively to the law enforcement personnel involved in the investigation.” (p. 2)

“Under the totality of the circumstances, wearing a ski mask, in the French Quarter, two months after a terrorist attack in the French Quarter provided legal justification to conduct an investigatory stop of Respondent.” (p. 3)

FACTUAL BACKGROUND

During a Bacchus parade on March 2, 2025, Louisiana State Trooper Calvin Nguyen observed Boss wearing a solid black ski mask covering his entire face except for his eyes near Canal and Royal Streets in the French Quarter. Nguyen informed Boss of the mask prohibition and asked whether he was concealing a weapon; after Boss answered no, Nguyen conducted a pat-down and discovered a firearm. After reading Boss his Miranda rights, officers seized two Percocet pills from his pocket during a search incident to arrest.

PROCEDURAL HISTORY

The State charged Boss by bill of information with offenses involving wearing a facial disguise, firearm possession and carrying, possession of a controlled substance, possession of a stolen firearm, and negligent carrying of a concealed handgun. After examining Boss's mask, the Criminal District Court for Orleans Parish

found no probable cause and suppressed the evidence. The State applied for supervisory review, and the Fourth Circuit granted the writ and reversed.

DISPOSITION

reversed

CASES CITED

- *Miranda v. Arizona*, 384 U.S. 436, 444, 86 S. Ct. 1602, 1612, 16 L. Ed. 2d 694 (1966)
- *State v. Elliott*, 2009-1727, p. 5 (La. 3/16/10), 35 So. 3d 247, 251
- *State v. Surtain*, 2009-1835, pp. 7, 11 (La. 3/16/10), 31 So. 3d 1037, 1043, 1046
- *United States v. Robinson*, 414 U.S. 218, 224, 94 S. Ct. 467, 471, 38 L. Ed. 2d 427 (1973)
- *State v. Sherman*, 2005-0779, p. 9 (La. 4/4/06), 931 So. 2d 286, 292
- *Rawlings v. Kentucky*, 448 U.S. 98, 111, 100 S. Ct. 2556, 2564, 65 L. Ed. 2d 633 (1980)
- *State v. McClendon*, 2013-1454, p. 4 (La.App. 4 Cir. 1/30/14), 133 So. 3d 239, 244
- *Scott v. United States*, 436 U.S. 128, 138, 98 S. Ct. 1717, 1723, 56 L. Ed. 2d 168 (1978)