

NONPRECEDENTIAL DISPOSITION

To be cited only in accordance with FED. R. APP. P. 32.1

United States Court of Appeals  
For the Seventh Circuit  
Chicago, Illinois 60604

Argued October 3, 2023  
Decided November 3, 2023

Before

MICHAEL B. BRENNAN, *Circuit Judge*

MICHAEL Y. SCUDDER, *Circuit Judge*

AMY J. ST. EVE, *Circuit Judge*

No. 22-3098

UNITED STATES OF AMERICA,  
*Plaintiff-Appellee,*

*v.*

JAMIE RAY TRAVIS,  
*Defendant-Appellant.*

Appeal from the United States District  
Court for the Eastern District of  
Wisconsin.

No. 21-CR-91-JPS

J.P. Stadtmueller,  
*Judge.*

ORDER

After stopping Jamie Ray Travis for speeding, police searched the car he was driving and found a loaded gun in the glovebox. Travis pleaded guilty to possession of a firearm by a felon in violation of 18 U.S.C. § 922(g)(1) and § 924(a)(2). But before doing so, he moved to suppress the gun. The district judge denied the motion, concluding that the gun would have been inevitably discovered in an inventory search. We affirm, though on a different ground.

## I. Background

In late 2020, Travis was pulled over by Milwaukee County Sheriff's Deputy Montrell Hobbs for speeding on the I-794 freeway. Hobbs ran a computer search on the vehicle's license plates, which indicated they were dealership plates with no vehicle associated to them. Nothing on the car suggested it was for sale.

Hobbs began recording the encounter with a body camera and approached the passenger side of the vehicle. He saw a child in the passenger seat, and Travis was speaking on FaceTime to a woman—the child's mother and purported owner of the car. Hobbs asked Travis for his driver's license, title, and insurance, but he did not have those documents. Travis asked the woman about the documents, and she responded that she had insurance but needed to pull up documentation. Hobbs ordered Travis out of the car and patted him down, finding cocaine in Travis's right-front pocket. Hobbs placed Travis into his squad car.

Hobbs informed the dispatcher of the arrest and requested a tow truck. He returned to the vehicle to talk to the child, who in turn handed over the phone so he could speak to the woman. Hobbs informed the woman that she needed to pick up her child, but that the car would be towed because she was not driving the vehicle.

Hobbs searched the vehicle and discovered a loaded gun in the glovebox. He notified the dispatcher of the gun, who confirmed that Travis was a convicted felon.

Travis was charged with possession of a firearm by a felon in violation of 18 U.S.C. § 922(g)(1) and § 924(a)(2). He later moved to suppress the gun, contesting the search of his person and the vehicle. A magistrate judge conducted a suppression hearing in which Hobbs was the lone witness. At that hearing, Hobbs testified that he had multiple bases for searching the vehicle, including incident to arrest.

The magistrate judge recommended denying the motion to suppress because the search was a valid inventory search. In his view, Hobbs appropriately had the car towed upon Travis's arrest, so the search of the glovebox was part of an inventory search in accordance with department policies. Even though Hobbs did not prepare a written inventory, the magistrate judge found that the recording from Hobbs's body camera left a sufficient record of the items in the vehicle to protect the department against claims of lost, stolen, or damaged property. Consequently, the magistrate judge concluded that the evidence was admissible under the inventory-search exception to the warrant requirement.

The district judge denied the motion to suppress, though on a different ground than the magistrate judge. In the district judge's view, the gun inevitably would have been discovered in a lawful inventory search because the car was "going to be towed" and the department had an explicit policy requiring impounded vehicles to be inventoried. Travis pleaded guilty, reserving his right to appeal the denial of the motion to suppress.

## II. Discussion

On appeal the parties dispute the applicability of various Fourth Amendment doctrines. We focus on a ground the magistrate judge and the district judge rejected, but which the government re-raises on appeal: Travis's misuse of the dealership plates justified a valid search of the car incident to arrest.

An officer may search a vehicle "incident to a recent occupant's arrest" if "it is reasonable to believe the vehicle contains evidence of the offense of arrest." *Arizona v. Gant*, 556 U.S. 332, 351 (2009). Travis was arrested for (among other possible offenses) misuse of dealership plates. See WIS. STAT. §§ 341.47, 341.55 (2021). An individual may be fined under that statute if they operate a vehicle displaying dealership plates on a public roadway, knowing that the vehicle is not owned by a dealer. See §§ 341.47, 341.55. Per *United States v. Edwards*, "[e]vidence establishing the vehicle's ownership is obviously relevant" to the offense of improperly displaying a dealership license plate, and "registration and title documents are evidence of ownership and are often kept in a car," particularly in the glovebox. 769 F.3d 509, 515 (7th Cir. 2014).

The vehicle's dealership plates contradicted Travis's claim that the woman owned the car, giving rise to probable cause of misuse of dealership plates. When Hobbs ran a check on the car's license plates, they came back as dealership plates with no associated vehicle. Further, the car displayed no indications that the car was for sale. Dealership plates may be used only on dealer-owned vehicles, but Travis told Hobbs that the woman owned the car, although he could not produce proof of ownership (like the car's title or registration).

Hobbs's search of the glovebox incident to Travis's arrest was proper. Evidence of a vehicle's ownership and registration is regularly contained in the glovebox of a vehicle. Evidence of ownership would bear directly on whether it was illegal for Travis to operate the car with dealer plates. Even though Travis told Hobbs that he did not have those documents, it was still reasonable for Hobbs to believe that the documents

would be in the glovebox because “[p]olice officers are not required to accept a suspect’s word that no evidence of a crime is contained within a car.” *Id.* at 515–16.

The magistrate judge and the district judge concluded that *Edwards* is distinguishable because Travis was not arrested for driving a stolen car. But *Edwards* need not be read so narrowly. Ownership is an element of Travis’s offense of arrest, *see* WIS. STAT. § 341.55, so it was reasonable for Hobbs to search the car for evidence of ownership, such as the title and registration, because Travis did not produce either of those documents.

AFFIRMED