

**STATE OF LOUISIANA**  
**COURT OF APPEAL, FIRST CIRCUIT**

STATE OF LOUISIANA

NO. 2015 KW 1586

VERSUS

JACSON MOORE

DEC 18 2015

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In Re: State of Louisiana, applying for supervisory writs,  
19th Judicial District Court, Parish of East Baton  
Rouge, No. 02-13-0142.

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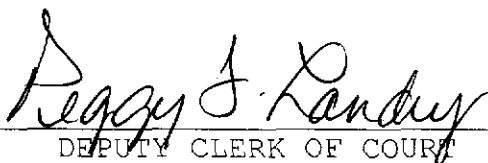
**BEFORE: WHIPPLE, C.J., WELCH AND CHUTZ, JJ.**

**WRIT GRANTED.** The consent given by the defendant to search his vehicle was free and voluntary. **State v. Gorut**, 590 So.2d 1268, 1271 (La. App. 1st Cir. 1991), writ denied, 595 So.2d 653 (La. 1992). The officers' alleged misstatement of their purpose in conducting the search did not vitiate the defendant's consent. See State v. Watson, 416 So.2d 919, 921 (La. 1982). Accordingly, we find that the district court erred in granting the motion to suppress. That ruling is reversed and the case is remanded to the district court for further proceedings.

VGW  
WRC

**Welch, J.**, dissents and would deny the writ. The court found the police lied to the defendant about investigating an armed robbery. Further, the court found that the defendant consented to the search based upon the lie. Consent cannot be knowingly and intelligently given when predicated on a lie by the police.

COURT OF APPEAL, FIRST CIRCUIT



DEPUTY CLERK OF COURT  
FOR THE COURT