

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA

NO. 2020 KW 0504

VERSUS

JAY-QUAN CARTER

SEPTEMBER 16, 2020

In Re: Jay-Quan Carter, applying for supervisory writs, 21st
Judicial District Court, Parish of Tangipahoa, No.
1701960.

BEFORE: McCLENDON, WELCH, AND HOLDRIDGE, JJ.

WRIT GRANTED. After thoroughly reviewing the video recording of the minor traffic violation of crossing the yellow line, it is clear that the officer extended the stop beyond the time required to issue a citation for the minor traffic violation to allow the canine unit to arrive in contravention of the parameters set forth in **Rodriguez v. United States**, 575 U.S. 348, 350-351, 135 S.Ct. 1609, 1612, 191 L.Ed.2d 492 (2015) ("a police stop exceeding the time needed to handle the matter for which the stop was made violates the Constitution's shield against unreasonable seizures. A seizure justified only by a police-observed traffic violation, therefore, 'become[s] unlawful if it is prolonged beyond the time reasonably required to complete th[e] mission' of issuing a ticket for the violation."). The video further contradicts key points in the officer's testimony regarding the stop. Therefore, based on the particular facts of this case, the ruling denying the motion to suppress evidence is reversed, the motion is granted, and this matter is remanded for further proceedings.

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JEW
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