

*This opinion is nonprecedential except as provided by
Minn. R. Civ. App. P. 136.01, subd. 1(c).*

**STATE OF MINNESOTA
IN COURT OF APPEALS
A23-0001**

Charles Francis Baumgartner, petitioner,
Appellant,

vs.

Commissioner of Public Safety,
Respondent.

**Filed October 2, 2023
Affirmed
Bryan, Judge**

Renville County District Court
File No. 65-CV-22-160

Curtis L. Reese, Olivia, Minnesota (for appellant)

Keith Ellison, Attorney General, Karthik Raman, Assistant Attorney General, St. Paul,
Minnesota (for respondent)

Considered and decided by Worke, Presiding Judge; Ross, Judge; and Bryan, Judge.

NONPRECEDENTIAL OPINION

BRYAN, Judge

Appellant challenges the district court's order sustaining the revocation of his driving privileges, arguing that the district court clearly erred in making factual findings underlying its determination that there was reasonable, articulable suspicion to support an investigative detention of appellant. Because we are not left with a definite and firm conviction that the district court made a mistake in its factual findings, we affirm.

FACTS

In the early morning hours of June 18, 2022, Olivia Police Sergeant Aaron Clouse initiated an investigative traffic stop after observing that a vehicle's driver's side brake light failed to illuminate. After the ensuing encounter with the driver, appellant Charles Francis Baumgartner, Clouse arrested him for driving while impaired (DWI). Respondent Commissioner of Public Safety revoked Baumgartner's driving privileges based on the arrest. Baumgartner petitioned for judicial review of the revocation, and the district court held an implied consent hearing. *See* Minn. Stat. § 169A.53, subd. 2 (2022). The following factual summary is taken from the evidence presented at the hearing.

Clouse testified that he saw Baumgartner's vehicle activate its righthand turn signal as it approached an intersection. Clouse observed that the vehicle's turn signal illuminated but not the driver's side brake light. Clouse testified that it was "very clear" that the driver's side brake light failed to illuminate. Clouse stopped the vehicle for the equipment violation. Baumgartner testified that his brake lights did not illuminate because he drives manual transmission and prefers to reduce speed by downshifting the vehicle rather than use his brakes.

The district court received the video recording of the stop taken from the camera on Clouse's squad car into evidence at the hearing. The video shows the passenger's side brake light illuminate for a moment before the vehicle's turn signal began blinking. The driver's side brake light, however, did not illuminate as the passenger's side light did. The squad video also depicts Baumgartner and Clouse testing the vehicle's lights after Baumgartner pulled over. As Baumgartner pressed on the brakes of his vehicle, the video

shows that the brake lights did not immediately illuminate. Eventually, however, both the driver's and passenger's side brake lights illuminated as Baumgartner and Clouse tested the brake lights.

During Clouse's encounter with Baumgartner, Clouse observed a strong odor of an alcoholic beverage, bloodshot eyes, unsteadiness, and slurred speech. The squad video shows Clouse ask Baumgartner if he had been drinking, and Baumgartner responded that he had consumed two beers prior to driving. In his testimony, Baumgartner stated that he had three beers that evening and "had a couple of beers" earlier that day. Clouse requested that Baumgartner perform a field sobriety test and observed four signs of impairment. Clouse then requested Baumgartner take a preliminary breath test (PBT), which indicated that Baumgartner's alcohol concentration exceeded the legal limit. Clouse arrested Baumgartner and transported him to the Renville County jail.

The district court issued an order sustaining the revocation of Baumgartner's driver's license. It found that Clouse initiated the traffic stop based on his observation of an equipment violation—that the driver's side brake light failed to illuminate—and that this observation provided sufficient suspicion to initiate the investigative detention. Baumgartner appeals.

DECISION

Baumgartner argues that the district court erred in concluding that the stop of his vehicle was lawful because he disagrees with the district court's factual finding that Clouse observed the brake lights malfunction. We conclude that the district court did not clearly err in making this factual finding.

Both the United States and Minnesota Constitutions protect individuals from “unreasonable searches and seizures” by the government. U.S. Const. amend. IV; Minn. Const. art. 1, § 10.¹ “But an officer does not violate the prohibition if [h]e stops a vehicle to conduct an investigation based on the officer’s reasonable suspicion that the driver is engaging in criminal activity.” *Soucie v. Comm’r of Pub. Safety*, 957 N.W.2d 461, 463-64 (Minn. App. 2021), *rev. denied* (Minn. June 29, 2021). “Reasonable suspicion must be ‘particularized’ and based on ‘specific and articulable facts which, taken together with rational inferences from those facts, reasonably warrant that intrusion.’” *State v. Taylor*, 965 N.W.2d 747, 752 (Minn. 2021) (quoting *Terry v. Ohio*, 392 U.S. 1, 21 (1968)).

We review *de novo* a district court’s determination that an officer had reasonable, articulable suspicion for an investigative stop, but we review for clear error the district court’s underlying factual findings. *Hoekstra v. Comm’r of Pub. Safety*, 839 N.W.2d 536, 539 (Minn. App. 2013). “We hold findings of fact as clearly erroneous only when we are left with a definite and firm conviction that a mistake has been committed.” *Jasper v. Comm’r of Pub. Safety*, 642 N.W.2d 435, 440 (Minn. 2002). In addition, appellate courts give “due weight to the inferences drawn from those facts by the district court,” *State v. Britton*, 604 N.W.2d 84, 87 (Minn. 2000) (quotation omitted), and we must defer to the district court’s credibility determinations, *State v. Klamar*, 823 N.W.2d 687, 691 (Minn.

¹ Even though revocation of a driver’s license under the implied consent statute is a civil remedy, the exclusionary rule applies to these proceedings. *Harrison v. Comm’r of Pub. Safety*, 781 N.W.2d 918, 919-20 (Minn. App. 2010).

App. 2012); *see also Wilkes v. Comm'r of Pub. Safety*, 777 N.W.2d 239, 246 (Minn. App. 2010) (“[C]redibility determinations are the province of the district court.”).

In this case, the district court found that Clouse initiated the stop of Baumgartner’s vehicle based on the observation that the vehicle’s driver’s side brake light did not illuminate. “Generally, if an officer observes a violation of a traffic law, no matter how insignificant the traffic law, that observation forms the requisite particularized and objective basis for conducting a traffic stop.” *State v. Anderson*, 683 N.W.2d 818, 823 (Minn. 2004); *see also State v. Poehler*, 935 N.W.2d 729, 733 (Minn. 2019) (“When an officer observes a violation of the traffic laws, there is reasonable suspicion to stop the vehicle.”). Operating a motor vehicle with a nonfunctioning brake light is a traffic violation. *See* Minn. Stat. § 169.57, subd. 1(a) (2020) (stating that a vehicle “shall be equipped with at least two stop lamps on the rear which shall emit a red or yellow light”), subd. 3(a) (stating that “the lamps must at all times be maintained in good working condition”) (2020). Such traffic violations are sufficient to justify an investigative detention. *See, e.g., State v. Beall*, 771 N.W.2d 41, 42, 44-45 (Minn. App. 2009) (“A vehicle with an inoperable center brake light is operated unlawfully in violation of Minn. Stat. § 169.57, subd. 3(a). Observation of such a violation gives rise to objective, reasonable, articulable suspicion justifying a traffic stop.”).

Baumgartner argues that the district court clearly erred in finding that Clouse observed an equipment violation. Challenging Clouse’s credibility, Baumgartner argues that Clouse “did not testify that he observed the brakes on [Baumgartner’s] vehicle flicker

briefly or that only one [brake] light was working” and “the squad video clearly shows the brakes were working/operational.” We are not persuaded.

Clouse’s testimony and the squad video support the district court’s finding. Clouse testified that he stopped Baumgartner’s vehicle because he “observed that the driver’s side [brake] light did not illuminate.” Clouse further explained that this it was “very clear” that the light failed to illuminate as the vehicle slowed down. In addition, the district court determined that “the vehicle[’s] . . . driver’s side brake light did not illuminate” but, “[t]he other taillights, including the passenger’s side brake light, appeared to be in working order.” Our review of the squad video does not leave us with the firm conviction that the district court erred in making this finding. Rather, consistent with Clouse’s testimony, the driver’s side brake light does not appear to illuminate as the passenger’s side brake light does before the turn signal begins to blink.

Baumgartner directs us to his testimony that he would routinely downshift the manual transmission in the vehicle to avoid braking. The district court, however, discounted Baumgartner’s testimony, determining that Baumgartner’s testimony was “evasive, inconsistent, and not credible at times.” We must we defer to this credibility determination. Minn. R. Civ. P. 52.01 (“[D]ue regard shall be given to the opportunity of the trial court to judge the credibility of the witnesses.”); *see also Gada v. Dedefo*, 684 N.W.2d 512, 514 (Minn. App. 2004) (“Based on the findings, we must assume that the district court found [the petitioner to be] credible.”); *Umphlett v. Comm’r of Pub. Safety*, 533 N.W.2d 636, 639 (Minn. App. 1995) (determining that the district court “implicitly found that officer’s testimony was more credible”), *rev. denied* (Minn. Aug. 30, 1995).

We conclude that the district court did not clearly err in its factual finding that Clouse observed the driver's side brake light malfunction because we defer to the district court's credibility determinations, do not reweigh conflicting evidence, and there is evidence in the record to support the district court's finding.

Affirmed.