

SUMMARY STATEMENT

State of Idaho v. Audrey Marie Byrum

Docket No. 46863

Police dispatch received an anonymous tip from a driver who had witnessed a driver failing to maintain its lane of travel while traveling westbound on Interstate 84. Idaho State Police Trooper Pesina was dispatched and he executed a traffic stop of a car matching the description provided. Pesina smelled the odor of alcohol coming from the car and conducted field sobriety tests on Audrey Marie Byrum, the driver, which she failed. The State charged Byrum with driving under the influence for the second time in ten years.

Byrum filed a motion to suppress, arguing the evidence obtained as a result of the traffic stop was in violation of her right to be free from unreasonable searches and seizures because Pesina did not have reasonable suspicion to execute the traffic stop. Following a suppression hearing, the magistrate court denied the motion. Subsequently, Byrum filed a motion to reconsider the denial of the motion to suppress, which the magistrate court denied. Byrum entered a conditional guilty plea and reserved the right to appeal the magistrate court's denial of her motion to suppress. Byrum appealed the denial of her motion to suppress and her motion to reconsider to the district court and the district court affirmed the decisions of the magistrate court. Byrum timely appealed.

On appeal to this Court, Byrum argues the magistrate court erred in denying her motion to suppress and abused its discretion by denying her motion to reconsider. The Court of Appeals held that reasonable suspicion supported the traffic stop and, accordingly, affirmed the district court's decision affirming the magistrate court's orders denying Byrum's motion to suppress and her motion to reconsider.

This summary constitutes no part of the opinion of the Court, but has been prepared by court staff for the convenience of the public.