

SUMMARY STATEMENT

State v. Maloney
Docket No. 47365

This was an appeal by Daisha Lynn Maloney (Maloney) from a judgment of conviction for possession of methamphetamine. During a lawful traffic stop conducted by an officer with the Twin Falls Police Department, the officer asked if Maloney would consent to a search of her vehicle. She agreed. As Maloney and her passenger exited the vehicle, Maloney took her purse with her. The search of the vehicle yielded a “one-hitter” marijuana pipe which contained residue. However, the officer attributed the possession of the “one-hitter” to Maloney’s partner who was currently incarcerated. The officer then told Maloney he needed to search her purse, which was no longer in the car, based on what had been discovered in the vehicle. The officer proceeded to search the purse without permission from Maloney. In the purse, the officer found two pipes containing white crystal residue. Maloney was charged with possession of methamphetamine.

Maloney filed a motion to suppress the evidence that had been found in her purse, which the State opposed by arguing that the automobile exception to the warrant requirement applied. Maloney contended that the automobile exception only applied to containers inside the vehicle once probable cause arose, and did not extend to her purse, which was outside the vehicle when the officers found the marijuana pipe. The district court agreed with the State that the automobile exception applied and denied Maloney’s motion. Maloney then entered a conditional guilty plea reserving her ability to appeal the suppression issue, and after judgment was entered, she filed a timely appeal.

On appeal, the Idaho Supreme Court reversed the district court’s decision denying Maloney’s motion to suppress, and vacated Maloney’s judgment. The Idaho Supreme Court held that the automobile exception did not apply to a container that had been removed from the vehicle prior to probable cause developing to search the vehicle.

******This summary constitutes no part of the Court’s opinion. It has been prepared by court staff for the convenience of the public.******