

SUMMARY STATEMENT

State v. Blancas, Docket No. 48357

Jesus Juan Carlos Blancas appealed from the denial of his motion to suppress evidence and subsequent conviction for felony DUI. Blancas was pulled over by law enforcement on suspicion of DUI in the early morning hours of April 14, 2019. He did not cooperate with breath tests to determine his blood alcohol content (BAC) and refused to consent to a blood draw. The investigating officer briefly attempted to reach the on-call magistrate judge to obtain a warrant, but was not successful. Soon after, a blood sample was collected without a warrant. The sample collected showed that Blancas' BAC was more than three times the legal limit.

The State charged Blancas with felony DUI because he had previously been convicted of felony DUI within the previous 15 years. Blancas moved to suppress evidence of the warrantless blood draw, alleging violation of his Fourth Amendment rights. The district court denied Blancas' motion, holding that the warrantless draw was justified under the exigent circumstances exception to the Fourth Amendment's warrant requirement.

The Idaho Supreme Court reversed the denial of Blancas' motion to suppress. Under the exigent circumstances exception, the State bears the burden of proving that there is an immediate need to collect evidence and no time available to obtain a warrant. The only evidence the State presented to meet its burden was that the investigating officer had failed to reach the magistrate judge after a brief attempt. Under the totality of circumstances, the Court held that this was insufficient to prove that a genuine exigency existed.

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