

SUMMARY STATEMENT

State v. Wilson

Docket No. 48693

The State appeals a district court's order granting Andrew Wilson's motion to suppress evidence of a blood draw. In December 2018, an officer approached Wilson's vehicle, which was located in the drive-through line at a Jack-in-the-Box restaurant, and informed him that an employee of Jack-in-the-Box had reported a suspicion that Wilson was intoxicated. The officer ordered Wilson to move his vehicle into the parking lot so the officer could conduct field sobriety tests. Wilson was subsequently arrested and charged with DUI.

Wilson moved to suppress evidence of the resulting blood draw, arguing that the officer did not have reasonable suspicion to detain him in the restaurant parking lot. The State argued that, under the community caretaking function, the officer had reasonable suspicion to conduct field sobriety testing *after* Wilson had parked and exited his vehicle in the restaurant parking lot. The district court granted Wilson's motion, finding that the officer had detained Wilson when he ordered him to park the vehicle in the restaurant parking lot. The district court further found that the officer did not have reasonable suspicion to support this detention. The district court dismissed the charge against Wilson. The State appealed to the Idaho Court of Appeals, which reversed the district court. *State v. Wilson*, No. 47275, 2020 WL 4876845 (Idaho Ct. App. Aug. 20, 2020). On review, the Idaho Supreme Court held that the State had failed to preserve its argument that the officer had reasonable suspicion to detain Wilson and affirmed the district court's order granting Wilson's motion to suppress.

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