

SUMMARY STATEMENT

State v. Downing, Docket No. 44382

This is a Fourth Amendment suppression case stemming from a search of a probationer's residence while additional visitors were present. The probation officers temporarily detained the visitors while conducting an initial search of the home to secure the remaining occupant. During this initial search, the searching officer observed drug paraphernalia in the garage, and the probation officers further detained the visitors until an investigative officer arrived. The investigative officer performed a pat-search on Downing, one of the visitors, which led to the discovery of drugs on his person. The officer further questioned him, which led to admissions of drug use that day. Downing sought to suppress all evidence obtained against him that day as derived from both an unlawful seizure and search. The district court denied his motion to suppress the drugs and admissions to the investigative officer. The district court's decision was erroneous. The Supreme Court vacates the judgment of conviction.