

SUMMARY STATEMENT

State v. Maxim

Docket No. 45950

In an appeal arising out of Ada County, the Idaho Supreme Court reversed the district court's order denying Andrew Charles Maxim's motion to suppress. Maxim's motion sought to exclude drug evidence found on his person after police searched the apartment he was living in without a warrant. Below, the district court found that the exclusionary rule need not apply under the circumstances because the police would have inevitably discovered the drug evidence despite any illegality of the search. On appeal, the State argued that Maxim did not have standing to challenge the search because he had signed a Fourth Amendment waiver as a term of probation. The Idaho Supreme Court held that a probationer who has signed a Fourth Amendment waiver may still challenge a search. The Court further held that, because the police officers did not know of Maxim's Fourth Amendment waiver at that the time of the search, it could not be used to justify the search in response to his motion to suppress. Lastly, the Court held that the district court's analysis under the inevitable-discovery doctrine was impermissibly speculative. As a result, the Court vacated the judgment of conviction, reversed the order denying Maxim's motion to suppress, and remanded for further proceedings.