

TEAM 113

Case No.: 2023-CR-812

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IN THE  
UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
Sep. 4, 2023

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THE UNITED STATES OF AMERICA,

*Prosecution,*

-against

JAMIE LAWTON,

*Defendant.*

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**PROSECUTION'S MEMORANDUM OF LAW  
IN OPPOSITION TO DEFENDANT'S MOTION TO DISMISS**

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## INTRODUCTION

The evidence seized by Officer Griffin should not be suppressed because Griffin's entry into Lawton's warehouse was justified and he lawfully seized the drugs stashed inside. The Fourth Amendment provides citizens with the right against unreasonable searches and seizure, especially in their home. But the court does not prohibit all warrantless entries into the home, only unreasonable ones. Whether an entry was justified is based on the totality of the circumstances.

The court has established several situations or "exigent circumstances" where conditions render it impractical and therefore unreasonable for officers to wait for a warrant before entering a person's home. Such circumstances existed when Officer Griffin, who had probable cause to arrest an intoxicated and evasive Lawton, pursued Lawton from his car into the warehouse.

Once Griffin was inside the warehouse he was able to see contraband in "plain view" and had to seize it to prevent its potential destruction and the thwarting of Lt. Vann's investigation. The illegal nature of the cocaine he spotted was readily ascertainable to his trained eye, and he suspected Lawton's guest might try to get rid of the evidence now that he knew the police were in the area. This could have led to a miscarriage of justice which Officer Griffin could not have reasonably been expected to allow and in fact was not required to allow because the court has long recognized that the need to prevent the destruction of evidence is an exigency that allows for the seizure of that evidence without a warrant.

For these reasons, this court should deny the Defendant's Motion to Suppress.

## STATEMENT OF FACTS

Officer Griffin was traveling southbound on DUI patrol on June 8, 2023, at around 16:00 when he spotted Kevin James' red pickup truck. (Transcript of Grand Jury Proceeding, dated July 6, 2023 (“Tr. Griffin”), ¶ 3:7–11). Officer Griffin recognized it as James' from its “jacked up” height, a crude bumper sticker, and because he had arrested James for driving the truck under the influence back in December 2021. (Tr. Griffin, ¶ 6:4). The truck came to Griffin's attention because the truck's driver, Jamie Lawton, leaned out of the driver's side door to throw up. (Tr. Griffin, ¶ 3:7). Because Lawton was driving James' red truck and did not look too dissimilar from his cousin, Officer Griffin believed Lawton to be James. (Tr. Griffin, ¶ 8:8). If it was James, he would have been subject to a minimum of thirty days in jail for driving with a suspended license. James' license was suspended because he failed to stay sober during a diversionary program after his first DUI. (Police Report Narrative (“Report”), ¶ 2, 1–5). Officer Griffin could not search the red truck's registration because it was without a back license plate in violation of §14-147. (Tr. Griffin, ¶ 7:10). Because the driver's hair was slightly different from the last time Officer Griffin saw James, Griffin suspected the driver was trying to avoid detection. (Tr. Griffin ¶ 9:6).

Twenty minutes before Officer Griffin witnessed Lawton throw up at the intersection, Lawton was at a bar. According to his receipt, he bought 6 drinks for himself and one other person and checked out at 15:42. R. at 95. By the time the light turned green, Lawton was slow to take off. Combined with the throwing up and the suspected

identity of the driver, Officer Griffin believed a DUI might be in progress and warranted further investigation. (Tr. Griffin, ¶ 10:1–11).

Officer Griffin followed Lawton for three miles during which he witnessed Lawton drift in and out of the emergency lane two separate times and drive at an inconsistent speed ranging from 40-45 mph which Griffin recorded with his speedometer. (Report, ¶ 3:1–5). After the second time Lawton drifted into the emergency lane, Officer Griffin decided to initiate a traffic stop for a suspected second DUI within two years which is a third degree felony. §14-227a(2)(b). Officer Griffin turned on his overhead lights to signal to the driver to pull over. (Tr. Griffin, ¶ 7). Instead of pulling over, the driver increased their speed by about 5 mph for another three miles, before pulling over into the parking lot of what looked to be an abandoned warehouse. After parking, the driver got out of the car and quickly crossed the parking lot, used a key to unlock the warehouse door and ran inside. (Tr. Griffin, ¶ 17:3).

Officer Griffin pulled his cruiser into the parking lot of the warehouse and called for backup. (Tr. Griffin, ¶ 14:5). He intended to pursue the driver inside the building before he could escape through the warehouse's many exits because Griffin knew from his training that the person's Blood Alcohol Content drops after a person stops drinking and once two hours passed the BAC test results would not be usable for prosecution. (Report, ¶ 3:19–21). Before Griffin could go in, Lieutenant Vann from the Narcotics Division called Officer Griffin's phone to inform him that the warehouse was the subject of a joint police-DEA investigation and is suspected of being a stash house for drugs. Lt.

Vann was concerned that Griffin's pursuit inside the building would blow the investigation. (Report, ¶ 3:11–13). This led Officer Griffin to become concerned that the driver ran into the building to destroy that drug evidence. Griffin inferred that the driver noticed he was being followed (due to Griffin's overhead lights being on for 3 miles) and wanted to quickly get inside to get rid of incriminating evidence. With the intent to investigate the suspected second DUI and to prevent the destruction of evidence for Lt. Vann's investigation, Griffin entered the warehouse. (Report, ¶ 3:21–26). The door of which had been left open in the driver's haste to flee inside.

Once inside the warehouse, Officer Griffin "quickly realized" that the individual he pursued on foot was not Kevin James. (Report, ¶ 4:1). After requesting and checking the individual's driver's license, Officer Griffin confirmed that the man he followed was Jamie Lawton. (Tr. Griffin, ¶ 21:3–5). At this time, Officer Griffin acknowledged the other individual who was already present in the warehouse when Lawton and Officer Griffin entered. This individual, later identified as Kel Halstead, was uncooperative and refused to submit identification, claiming she went by the surname "Noneya business" and shouting at Officer Griffin to stop "harassing [her] friend." (Tr. Griffin, ¶ 21:7). Officer Griffin recentered his focus on Lawton, who refused to complete Field Sobriety Exercises because he felt too unwell. (Report, ¶ 4:8). Officer Griffin requested an ambulance to transport Lawton to hospital where he intended to continue his DUI investigation. (Report, ¶ 5:3).



Throughout his ongoing exchange with Lawton, Officer Griffin noticed Halstead “continuously looking over toward a pallet on the ground,” which alerted his suspicion that a potential weapon or contraband may be present. (Report, ¶ 4:13–14). As the ambulance crew prepared Lawton for transport, Officer Griffin “followed” them towards an exit—a different door than the one he used to enter the building. (Tr. Griffin, ¶ 25:5). In doing so, he “naturally walked closer to the area where Halstead had been looking “because it was in [his] path.” *Id.* He was between six and eight feet away from the area when he saw “the edge of something light-colored wrapped in plastic wrap and packing tape.” *Id.* The item, approximately “three inches thick by about four inches in length,” was located in a pallet that was partially covered by a tarp. (Tr. Griffin, ¶ 26:2).

The small package “appeared to be a white powdery substance wrapped in saran wrap and duct tape.” (Tr. Griffin, ¶ 25:5). Through his drug training at the Petersburg Police Academy, combined with the information Lieutenant Vann had provided about suspected drug trafficking activity involving the warehouse, Officer Griffin believed the package contained cocaine packaged for distribution. (Tr. Griffin, ¶ 26:4).

While continuing his route to exit the building, he quickly removed the tarp to “seize the package [he] had already seen,” revealing three large packages of cocaine in the process. *Id.* Rather than risk the consequences of leaving the drugs unattended with Halstead, who knew about the cocaine because she had initially alerted him to it, he “seized each package and handed them over to Vann and the DEA” for testing which confirmed the substance as cocaine. (Tr. Griffin, ¶ 27:1–3).

## ARGUMENT

### 1. OFFICER GRIFFIN LAWFULLY ENTERED LAWTON’S WAREHOUSE TO ARREST HIM AND PREVENT THE DESTRUCTION OF EVIDENCE.

When a police officer has probable cause they are authorized to effectuate warrantless arrests of offenders for even minor crimes, in public, and in private spaces. *Atwater v. City of Lago Vista*, 532 U.S. 318, 354 (2001) (holding that the arrest of a motorist for minor driving infractions did not violate the Fourth Amendment); *U.S. v. Newman*, 104 F.App’x. 801, 802 (3rd Cir. 2004); *U.S. v. Santana*, 427 U.S. 38, 42 (1976). An officer has probable cause when all the facts available to them would cause a person of reasonable belief to think there is a “fair probability” that a crime is taking place or that contraband is present. *Florida v. Harris*, 568 U.S. 237, 243-44 (2013). Furthermore, an individual cannot “thwart an otherwise proper arrest” supported by probable cause by fleeing from a public space into a private one. *Santana*, 427 U.S. at 42. Thus, Lawton should not be able to evade justice for his multiple crimes simply because he fled into his warehouse.

In *Newman*, the court found it was reasonable for the officer to confront and arrest a driver and impound his vehicle after the officer witnessed the defendant leave a tavern, drive erratically, and learned that the driver had multiple state motor vehicle infractions, a suspended license, and the wrong license plate on the vehicle. *Newman*, 104 F.App’x. at 802. In *Santana*, the defendant was in her own doorway when police officers, who knew she was involved in a drug trade, confronted her and she attempted to flee by running inside, leaving the door open. *Id.*, at 39-41. The officers immediately followed her in and

apprehended her before she could escape or destroy the evidence she was holding when they walked up (drugs and money). *Id.* As reinforced in *Santana*, criminals should not be able to escape justice by outrunning police until they are safely within the confines of their residence.

An officer's warrantless home entry and search may be reasonable if it is in service of a law enforcement emergency that would make waiting for a warrant impractical. *Lange v. California*, 141 S. Ct. 2011, 2021 (2021); *Santana*, 427 U.S. at 38; *Kentucky v. King*, 563 U.S. 452, 460 (2011). When the totality of the circumstances presents an emergency, like the flight itself, escape from home, and destruction of evidence, the police may act without waiting for a warrant. *Lange*, 141 S. Ct. at 2021; *Santana*, 427 U.S. 38 ("hot pursuit" of a fleeing suspect from public to home); *King*, 563 U.S. at 460 (destruction of evidence after police knocked on suspect's door). The *Lange* court found that "in many, if not most cases" even the warrantless home entry to pursue a fleeing misdemeanor would be justified. This is as long as the officers have an "objectively reasonable basis" to act. *Brigham City v. Stuart*, 547 U.S. 398, 406 (holding that officers were justified in entering home because they witnessed an assault and reasonably believed more violence would transpire without intervention). Officer Griffin was reasonable in his belief that waiting for a warrant may have resulted in Lawton's escape or the destruction of evidence.

A. *Officer Griffin had probable cause to arrest Lawton for his missing license plate, failure to pull over, and speeding up after being signaled to stop.*

Officer Griffin had probable cause to pull the driver over when he observed the red truck did not have a back license plate in violation of Stetson's traffic law §14-147. However, because Griffin witnessed the driver throw up onto the street, he decided to investigate further because he suspected that a DUI may be in progress in violation of Stetson state law §14-227 - Driving under the Influence. In addition to the throw up, Griffin also noted the driver was slow to pull off once the light changed. Given Griffin's reasonable inference that Kevin James was the driver of the trucks, he believed the driver to be operating with a suspended license in violation of §14-215 which is an infraction that carries a mandatory jail sentence. Even though Lawton was not James, he was driving his cousin's truck without a back license plate after having been out drinking.

Once the driver left the intersection Officer Griffin witnessed more reasons to believe that a DUI was in progress. Additionally, Griffin reasonably believed that James was the driver and suspected he was committing a second DUI within three years of his last conviction which is a felony under Stetson law. §14-223(2)(b). Even if Officer Griffin misidentified the driver, Lawton, as James, as long as Griffin was reasonable in his good-faith belief that James was driving the truck he was allowed to pursue the investigation as if the driver was James. *See, Hill v. California*, 401 U.S. 797, 803-804 (1971) ("When the police have probable cause to arrest one party, and when they reasonably mistake a second party for the first party, then the arrest of the second party is a valid arrest."). Similar to *Newman*, Lawton had just left a bar, Officer Griffin saw the

driver throw up, swerve between lanes, and drive at inconsistent speed with a missing license plate. Officer Griffin took the totality of these circumstances into account when he decided to initiate a stop by turning on his overhead lights to signal to the driver to pull over.

Once Officer Griffin activated his overhead lights, Lawton was legally required to pull over or at least not increase his speed, both of which Lawton did in violation of Stetson's law. §14-223(a)-(b). In *Perry*, officers had arguable probable cause to stop and arrest a driver for attempting to elude them when she drove for three miles after the pursuing officer had initiated his emergency lights. *Perry v. Greene County*, 392 F.App'x. 761, 763 (2010). The court did not buy the driver's argument that she did not know what the officer was trying to do when he activated his lights. *Id.* at 763. This is directly comparable to the 3 miles Lawton drove after Officer Griffin signaled him to pull over. This court also should not buy Lawton's assertion that he didn't notice Officer Griffin's overhead lights for three miles, considering he increased his speed by 5 mph once they were on. A response that made Griffin start "getting ready for a chase."

At this point, Officer Griffin had probable cause to arrest the driver for operating a vehicle without a back license plate, failing to pull over, and increasing their speed after being signaled to stop. Griffin also reasonably believed James was the driver, which would have meant the driver was driving with a suspended license and potentially committing the felony of driving under the influence within three years of a prior conviction.

*B. Lawton's conduct created "exigent circumstances" that required Officer Griffin to enter the warehouse without a warrant in order to safeguard the public and preserve Lt. Vann's investigations.*

In addition to being illegal, Lawton continuing to drive away from Officer Griffin after he turned on his overhead lights created the exigency of a "hot pursuit". Irrespective of its duration, a "hot pursuit" exigency exists when an officer(s) gives chase to a criminal that the officer(s) witnesses commit a crime and the criminal attempts to flee from the scene. *See Santana*, 427 U.S. at 38. At times, this exigent circumstance is found to exist along with the exigency of needing to prevent the imminent destruction of evidence. *Id.* at 43; *King*, 563 U.S. at 455 . So long as the officers do not create the exigency by violating or threatening to violate an individual's Fourth Amendment rights then warrantless entry into someone's residence then the exigent circumstances rule is applicable. *King*, 563 U.S. at 469. In this case, it was objectively reasonable for Officer Griffin to pursue Lawton from his car into the warehouse and come to fear that destruction evidence would occur, potentially thwarting his colleague's investigation. While Lawton claims that Officer Griffin's warrantless entry into the warehouse was impermissible, the fact remains that one cannot defeat a lawful arrest by going from a public space to a private space. *Santana*, 427 U.S. at 43.

The evidence that Officer Griffin was concerned Lawton would destroy was a threat to the community and Griffin had a duty to protect it. In *Kentucky*, the court said "[i]t is well established that "exigent circumstances," including the need to prevent the destruction of evidence, permit police officers to conduct an otherwise permissible search without first obtaining a warrant." *Kentucky*, 563 U.S. at 455. In that case, the

investigating officers simply heard movements from inside an apartment, where they saw a drug dealer enter, that they suspected to be the destruction of evidence and the court found the officers' previous observations of the drug deal and the sounds from the other side of the door were sufficient to justify the officers' warrantless entry. In our case, Officer Griffin saw what he reasonably believed to be a criminal suspect fleeing into a warehouse and Lt. Vann called him directly to tell him that an ongoing investigation has led him to believe that the warehouse is a drug stash house. Even though Officer Griffin did not have direct knowledge of this, the "collective knowledge doctrine" permits this vertical information sharing as a legitimate basis for police action. *See United States v. Massenburg*, 654 F.3d 480, 493 (4th Cir. 2011). This information added urgency to Officer Griffin's determination to not only arrest this criminal, but prevent the destruction of evidence Lt. Vann needed for his investigation. After pursuing the suspect for three miles with his overhead lights on and seeing the suspect flee inside, Officer Griffin had an objectively reasonable basis to believe that the suspect's escape or destruction of evidence were emergencies he needed to prevent.

For these reasons, Officer Griffin's warrantless entry into Lawton's warehouse for the purposes of arresting Lawton and preventing the destruction of evidence was legitimate and did not violate his Fourth Amendment rights. Conversely, it was necessary for the preservation of public safety.

## 2. THE WARRANTLESS SEIZURE OF THE COCAINE IS LEGALLY JUSTIFIED UNDER THE DOCTRINE OF PLAIN VIEW.

Officer Griffin's warrantless seizure of the cocaine from the warehouse did not violate Lawton's Fourth Amendment rights because the seizure was justified under the doctrine of plain view. The plain view doctrine functions as an exception to the traditional warrant requirement which governs conventional Fourth Amendment seizures. The plain view doctrine authorizes the warrantless seizure of evidence when (1) the seizing officer is lawfully present at the location of the seizure; (2) the officer had a lawful right of access to the evidence seized; and (3) the incriminating nature of the evidence item is immediately apparent. *Horton v. California*, 496 U.S. 128, 136-37 (1990); *Minnesota v. Dickerson*, 508 U.S. 366, 375 (1993); *Texas v. Brown*, 460 U.S. 730, 738 (1983). Since Officer Griffin was lawfully present in the warehouse due to pre-existing exigent circumstances regarding the potential destruction of vital evidence, he maintained a lawful right of access to the evidence, and the incriminating nature of the narcotic evidence was immediately apparent, the warrantless seizure is justified by the plain view doctrine and, consequently, does not constitute a violation of Lawton's Fourth Amendment rights.

A. *Officer Griffin observed the cocaine from a lawful vantage point because his presence on the premises was justified under the exigent risk of evidentiary destruction.*

The first element of the plain view doctrine, which requires lawful law enforcement presence, refers to the legality of an officer's physical presence on the premises at the time the evidence was visually observed. *Boone v. Spurgess*, 385 F.3d



923, 928 (6th Cir. 2004). As discussed in Section I, a warrantless officer may be lawfully present in a home or private commercial property when exigent circumstances create a compelling need for objectively reasonable law enforcement action without a warrant. *See Payton v. New York*, 445 U.S. 573, 586 (1980); *Lange*, 141 S. Ct. at 2017; *King*, 563 U.S. at 460; *Missouri v. McNeely*, 569 U.S. 141, 149 (2013). Reasonable fear of the imminent destruction of evidence qualifies as an exigent circumstance. *Santana*, 427 U.S. at 43.

Officer Griffin observed the cocaine from a lawful vantage point within the warehouse, despite lacking a warrant, because he was legally present in the warehouse under the concurrent exigencies of hot pursuit and the imminent destruction of evidence. While Officer Griffin initially entered the premises based on two legitimate exigent circumstances, hot pursuit and the potential destruction of narcotic evidence, the hot pursuit exigency fell away once Lawton was restrained on a gurney in preparation for transport to the hospital because at this point, Lawton was no longer practical able to flee from Officer Griffin. Even though Officer Griffin's presence was consequently no longer justified by hot pursuit by the time he spotted the cocaine underneath the tarp, which did not happen until he was preparing to exit the building, this does not mean his presence at the time the cocaine was spotted was unlawful. Rather, Officer Griffin's presence remained lawfully justified based on the imminent threat of the destruction of evidence.

Warrantless presence is justified to prevent the imminent destruction of evidence when law enforcement has a "reasonable belief" that (1) third parties are inside the dwelling and (2) the loss or destruction of evidence is imminent. *United States v. Radka*,

904 F.2d 357, 362 (6th Cir. 1990). The justification is further strengthened when the evidence at risk is not easily recoverable; for example, digital files on a laptop present a higher chance of recovery after destruction because they can be redownloaded from a cloud drive, whereas other types of physical evidence are irretrievable. *See United States v. Blood*, 429 F.App'x. 670, 671–72 (9th Cir. 2011).

Lieutenant Vann's briefing put Officer Griffin on initial notice that the warehouse may have contained contraband. Unlike in *Boozer* where the court found no threat of evidentiary destruction because the defendant was not aware that law enforcement was investigating the area and consequently lacked an incentive to destroy any evidence, Officer Griffin's entrance into the warehouse put both Lawton and Halstead on notice that law enforcement presence was nearby which created a strong incentive to destroy any contraband. *See United States v. Boozer*, 511 F.Supp.3d 1128, 1141 (D. Or. 2021). As the court in *Blood* phrased it, "it would be unreasonable for federal agents to send a suspect out the door with a bag of heroin and an instruction not to destroy or tamper with the evidence while they seek a telephonic warrant." *Blood*, 429 F.App'x. at 671. Similarly, it would be unwise—as Officer Griffin himself explains—to leave the scene with Lawton and provide Halstead the opportunity to irreversibly destroy irreplaceable evidence.

The concern about evidence destruction was legitimizing Officer Griffin's presence in the warehouse in the moments leading up to the initial observation, not just after the observation had been made. Like in *Brown*, where officer's overarching concerns about child pornography being downloaded in the building authorized the

seizure of “any computer” in the vicinity, not just the defendant’s personal laptop, Officer Griffin’s general concern about concealed cocaine justified his presence throughout the whole warehouse prior to its discover, rather than just authorizing limited presence in the particular vicinity where the contraband was stored. *See United States v. Brown*, 701 F.3d 120, 126 (4th Cir. 2012).

*B. Officer Griffin had a lawful right of access to the cocaine by virtue of his existing presence under exigent circumstances.*

The second element of the plain view doctrine, which concerns an officer’s lawful right of access to the evidence seized, considers whether an officer could “lawfully seize [contraband] without committing a trespass.” *United States v. Keleher*, 516 F.Supp.3d 162, 168 (D.P.R. 2021). In other words, this inquiry considers whether an officer was required to move from their previously-established lawful vantage point to an illegal locations to physically effectuate the actual seizure. *Boone*, 385 F.3d at 928. This requirement “guard[s] against warrantless entry onto premises whenever contraband is viewed from off the premises.” *Id*; *see United States v. Davis*, 690 F.3d 226, 234 (4th Cir. 2012).

Officer Griffin had a lawful right of access to the evidence by direct virtue of his lawful presence inside the warehouse. In *Davis*, which concerns the lawful retrieval of a defendant’s discarded clothes from the hospital room where they were relinquished, the officer had a lawful right of access to the clothes by virtue of his lawful presence in the room overall. *Davis*, 690 F.3d at 234. The court held that Officer King had a lawful right of access to seize the clothes because he was already lawfully present in the location

where the clothes were observed and, consequently, he committed no act of trespass by reaching into the clothes bucket to retrieve the defendant's items. *Id.* (“[T]here is no dispute that Officer King was lawfully present in the hospital room, and he thus had lawful access in the ordinary course of his investigation to the bag of clothing.”).

Like the officer in *Davis*, Officer Griffin was already lawfully present in the warehouse when he identified the cocaine and consequently, he did not commit trespass, or any other violation that would invalidate the right of access, when he walked over to the tarp to seize the bricks. *See id.* It is contested whether the tarp was directly in Officer Griffin's path as he followed the ambulance crew towards the exit, or whether he had to “take a wide arc” and walk “at least five or six steps out of his way” but this fact is inconsequential to the analysis. As established through the discussion of *Brown* and the lack of differentiation between the defendant's personal laptop versus the other laptops in the vicinity, Officer Griffin's reasonable belief that drug evidence in the warehouse risked destruction created a lawful basis for his presence throughout the whole warehouse. *See Brown*, 701 F.3d at 126. Consequently, it is irrelevant how many steps he took to access the tarp as long as his movement occurred within the space where he had lawful permission to stand, which it unquestionably did.

*C. The incriminating nature of the cocaine was immediately apparent due to Officer Griffin's specialized drug identification training.*

The incriminating nature of an item is immediately apparent when an officer has probable cause to associate the property with criminal activity. *Brown*, 460 U.S. at 738. In considering whether incriminating character is apparent, courts should consider “the

executing officers' particular, subjective training and experiences.” *United States v. Loines*, 56 F.4th 1099, 1108 (6th Cir. 2023).

The incriminating character of the cocaine was immediately apparent to Officer Griffin because he had received specialized narcotics identification training. Like the officer in *Pacheco*, who noticed a “brick-like object...wrapped in brown paper and bound together with tape” protruding from a suspect’s clothing during a pat-down search and “within seconds” identified the brick as cocaine based on his narcotics training, Officer Griffin’s drug training at the Petersburg Police Academy—where he was shown a number of pictures of cocaine and other drugs packaged for transport and sale— enabled him to swiftly identify the cocaine as a dangerous drug and, consequently, establish probable cause that the item was connected to illegal activity, all before commencing the seizure. *See United States v. Pacheco*, 841 F.3d 384, 388 (6th Cir. 2016).

Since Officer Griffin identified the evidence from a lawful vantage point, he had a lawful right of access to the pallet, and the incriminating nature of the cocaine was immediately apparent, the warrantless seizure was authorized under the plain view exception to the traditional warrant requirement and, consequently, Lawton’s Fourth Amendment rights were not violated.

### **CONCLUSION**

To preserve the integrity of authentic Fourth Amendment claims and uphold the legitimacy of the sacred protections that underpin them, this Court should reject Defendant’s assertions that Officer Griffin’s warrantless entry and seizure violated any

constitutionally-recognized rights and should, consequently, reject the Defendant's Motion to Suppress.

Dated: September 4, 2023

Respectfully Submitted,

*/s/ TEAM 113*

*Attorneys for Prosecution*

Team 113