IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO

Opinion Number:_____

Filing Date: January 15, 2026

No. A-1-CA-41802

STATE OF NEW MEXICO,

Plaintiff-Appellant,

v.

JONATHAN ROBLES,

Defendant-Appellee.

APPEAL FROM THE DISTRICT COURT OF SOCORRO COUNTY
Roscoe A. Woods, District Court Judge

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OPINION

HENDERSON, Judge.

{1} The State appeals the district court's order suppressing evidence obtained following a traffic stop of Defendant Jonathan Robles, after the court determined that the officer lacked reasonable suspicion to pull Defendant over. The State argues that the district court erred in finding that law enforcement lacked reasonable suspicion based upon the officer's belief that Defendant's name was on an active warrant list. Alternatively, the State argues that, even if law enforcement lacked reasonable suspicion to search Defendant, under the attenuation doctrine the officer did not need reasonable suspicion because Defendant's active arrest warrant cured the stop. For the following reasons, we affirm.

BACKGROUND

{2} On January 27, 2021, a police officer of the Socorro Police Department was on routine patrol and noticed an individual, whom he recognized as Defendant, driving a vehicle. The officer, believing that Defendant had an active warrant for his arrest, performed a traffic stop. The officer informed Defendant about his belief that Defendant had an active warrant, asked for Defendant's birthday, radioed the information to dispatch, and confirmed that there was an active arrest warrant for Defendant. After confirmation, the officer arrested Defendant on the arrest warrant and performed a search incident to arrest, finding two small blue pills in Defendant's

jacket pocket. Defendant was later charged with possession of a controlled substance, contrary to NMSA 1978, Section 30-31-23(A) (2019, amended 2021).[1]

{3} Defendant filed a motion to suppress the evidence obtained in the search, alleging that the officer lacked reasonable suspicion to stop Defendant. The State responded that the officer had reasonable suspicion because Defendant had an active arrest warrant.

{4} At the hearing on Defendant's motion to suppress, the officer testified that he was "provided with a warrant list through magistrate court with individuals with active warrants for their arrest" and that he "believe[d]" Defendant was on the list. However, the officer testified that he could not recall "exactly the day" he received or had last reviewed the list prior to stopping Defendant. The officer also testified that he did not observe Defendant commit a traffic infraction, nor did he run Defendant's license plate or identification information prior to pulling Defendant over.

{5} Following the hearing, the district court granted Defendant's motion to suppress all evidence obtained from the stop, finding the officer lacked reasonable suspicion to pull Defendant over. The State now appeals.

[1]Defendant's possession occurred on January 27, 2021, before the statute was amended in June 2021.We use the 2019 amendment, as that was the amendment in effect at the time Defendant was charged, and the 2021 amendment is not relevant to our analysis.

DISCUSSION

{6} We first address the State's argument that the district court erred in finding that the officer's belief that Defendant had an active warrant did not constitute reasonable suspicion, before turning to the State's alternative argument that reasonable suspicion was not required since later confirmation of Defendant's warrant justified the traffic stop under the attenuation doctrine.

I. Reasonable Suspicion

{7} The question before this Court is whether the officer had reasonable suspicion to stop Defendant based upon his belief that there was a valid warrant for Defendant's arrest. The State argues that the district court erred in granting Defendant's motion to suppress because the officer's belief that Defendant's name was on an active warrant list constitutes reasonable suspicion. Defendant argues that the officer did not have reasonable suspicion because, as the district court found, the officer did not have definite knowledge of an active warrant, as he could not testify as to when he saw Defendant's name on the list. We affirm based on the officer's inarticulable belief that an arrest warrant existed below.

{8} We review district court decisions regarding a motion to suppress as mixed questions of law and fact. *See State v. Neal*, 2007-NMSC-043, ¶ 15, 142 N.M. 176, 164 P.3d 57. "[W]e review the facts in the light most favorable to the prevailing party, deferring to the district court's factual findings so long as substantial evidence

exists to support those findings." *Id.* ¶ 15. "Substantial evidence is such relevant evidence as a reasonable mind might accept as adequate to support a conclusion." *State v. Torres*, 2018-NMSC-013, ¶ 42, 413 P.3d 467 (internal quotation marks and citation omitted). We "review the application of the law to those facts, making a de novo determination of the constitutional reasonableness of the search or seizure." *State v. Martinez*, 2018-NMSC-007, ¶ 8, 410 P.3d 186 (internal quotation marks and citation omitted).

{9} "[T]he United States and the New Mexico Constitutions provide overlapping protections against unreasonable searches and seizures." *State v. Rowell*, 2008-NMSC-041, ¶ 12, 144 N.M. 371, 188 P.3d 95; *see* U.S. Const. amend. IV; N.M. Const. art. II, § 10.[2] Evidence obtained in violation of constitutional protections must be suppressed. *See State v. Ramey*, 2020-NMCA-041, ¶ 18, 473 P.3d 13. If law enforcement stops an individual to execute a preexisting arrest warrant, "the unchallenged warrant render[s] the stop constitutionally reasonable." *State v.*

[2]Though the parties mention the search and seizure provision of our state constitution, it was not argued in district court that it provides greater protections than the United States Constitution. *See State v. Mares*, 2024-NMSC-002, ¶¶ 27-30, 543 P.3d 1198 (declining to consider a state constitutional argument on appeal that had not been developed in the trial court). Defendant notes that in certain contexts, our state constitution has greater protections than the Fourth Amendment federal counterpart, but does not make that argument with respect to reasonable suspicion. We therefore assume without deciding that both constitutions guarantee the same protection in the context of reasonable suspicion. *See State v. Ochoa*, 2004-NMSC-023, ¶ 6, 135 N.M. 781, 93 P.3d 1286.

Peterson, 2014-NMCA-008, ¶ 5, 315 P.3d 354. However, when a defendant does not have an active warrant, the central inquiry turns on the reasonableness of a search or seizure and "whether the officer's action was justified at its inception." *State v. Robbs*, 2006-NMCA-061, ¶ 11, 139 N.M. 569, 136 P.3d 570 (internal quotation marks and citation omitted).

{10} "A traffic stop is justified at its inception if it is supported by reasonable suspicion that a law has been violated." *State v. Yazzie*, 2016-NMSC-026, ¶ 20, 376 P.3d 858. "[R]easonable suspicion is a particularized suspicion, based on all the circumstances that a particular individual, the one detained, is breaking, or has broken, the law." *State v. Jason L.*, 2000-NMSC-018, ¶ 20, 129 N.M. 119, 2 P.3d 856. Because reasonable suspicion must exist at a traffic stop's inception, officers "cannot rely on facts which arise as a result of the encounter."[3] *Jason L.*, 2000-NMSC-018, ¶ 20. "The burden to show reasonableness is on the [s]tate." *State v. Leyva*, 2011-NMSC-009, ¶ 30, 149 N.M. 435, 250 P.3d 861. In proving reasonable suspicion, the state "must be able to base . . . reasonable suspicion upon specific articulable facts, together with rational inferences from those facts." *See State v. Cobbs*, 1985-NMCA-105, ¶ 12, 103 N.M. 623, 711 P.2d 900 (internal quotation marks and citation omitted). "Reasonable suspicion depends on the reliability and

[3]The attenuation doctrine is an exception to this requirement. *See Ramey*, 2020-NMCA-041, ¶ 19. We address the State's attenuation doctrine argument below.

content of the information possessed by the officers." *Robbs*, 2006-NMCA-061, ¶ 13. "Unsupported intuition and inarticulate hunches are not sufficient." *Cobbs*, 1985-NMCA-105, ¶ 12. With this in mind, we turn to consider the merits of the State's argument.

{11} At the hearing on Defendant's motion to suppress, the arresting officer testified that the sole reason he stopped Defendant was because he recognized Defendant and did "believe" he saw Defendant's name on an active warrant list. The officer also testified as to the reliability of the warrant list stating that he receives an active warrant list from the magistrate court "once a week, to once every other week," but that as it gets closer to two weeks since receiving a list, the officer will "confirm prior to making contact," because "there's a possibility those individuals could have already been picked up or taken care of their warrant." However, when pressed by the district court about when he saw Defendant's name on the warrant list, the officer could not remember, testifying, "I can't recall, I can't say exactly the day I received the warrant list in this certain instance," nor "exactly when I reviewed the warrant list prior to arresting [Defendant]." The officer could only testify that he did not believe that he saw the warrant list on the day he stopped Defendant. Therefore, the State submitted evidence of the narrow window of reliability of the warrant list while offering no evidence of when the officer saw Defendant's name on the warrant list. Recognizing that secondary confirmation of a warrant is not

required before conducting a traffic stop, *see State v. Widmer*, 2021-NMCA-003, ¶ 5, 482 P.3d 1254, here, it is the officer's inability to articulate facts as to why he believed that there was an active arrest warrant for Defendant, which forms the basis for our conclusion that there were insufficient facts to form reasonable suspicion. *See Cobbs*, 1985-NMCA-105, ¶ 12.

{12} Contrary to the dissent's analysis that the "officer's testimony *implies* he did not believe he was close to the two-week mark at the time of Defendant's stop," *dissent* ¶ 26 (emphasis added), implications are not evidence. While the standard for reasonable suspicion does not require certainty, *see Yazzie*, 2016-NMSC-026, ¶ 33, it is well established that an "officer's suspicion must rest on specific, articulable facts." *Robbs*, 2006-NMCA-061, ¶ 12. The standard of review for motions to suppress further requires this Court to "give deference to the district court's review of the testimony and other evidence presented, and review contested facts in a manner most favorable to the prevailing party." *Ramey*, 2020-NMCA-041, ¶ 9 (internal quotation marks and citation omitted); *see Jason L.*, 2000-NMSC-018, ¶ 23. An officer's testimony about their normal practices may be helpful in this analysis, but in this case, it is agreed that the officer testified that he does not know when he last saw the warrant list before stopping Defendant. *See dissent* ¶ 26 (stating "the officer was not able to testify to exactly when he checked the list in relation to

the stop"). This is the evidence on which we rely, not a possible implication that the officer reviewed the list less than two weeks prior.

{13} Next, the State relies on *Yazzie* to argue that "certainty" as to an active warrant's existence is not required to satisfy reasonable suspicion. 2016-NMSC-026, ¶ 33. We are unpersuaded by the State's reliance on *Yazzie*, as the certainty of an active arrest warrant was not at issue in that case. In *Yazzie*, the officer ran a defendant's license plate number and only pulled the defendant over after the query returned an "unknown" vehicle compliance status. *Id.* ¶ 6. At the related suppression hearing, the State's motor vehicle division witness explained that the "unknown" compliance status indicates that there is a high likelihood that the vehicle is uninsured. *Id.* ¶¶ 9-11. Because of this high likelihood, our Supreme Court held that query results showing "unknown" compliance status are sufficient for an officer's reasonable suspicion to conduct a traffic stop. *Id.* ¶ 28. Our Supreme Court further concluded that reasonable suspicion was individualized because the officer ran the individual's license plates and found suspicious results before conducting the stop. *Id.* ¶ 35.

{14} Here, the officer did not have the same individualized suspicion of Defendant. The officer did not check the active warrant list on the day of the traffic stop, and the officer did not observe Defendant commit any traffic infractions nor run Defendant's license plates prior to conducting the stop. The officer's sole basis for

stopping Defendant was his inarticulable belief that Defendant had an active arrest warrant. This is insufficient to establish the particularized suspicion required at the inception of a traffic stop.[4] *See Jason L.*, 2000-NMSC-018, ¶ 22 (requiring "[i]ndividualized, particularized suspicion [a]s a prerequisite to a finding of reasonable suspicion").

{15} The State also relies on *State v. James* to argue that the officer's belief that he saw Defendant's name on an active warrant list within the past two weeks constitutes reasonable suspicion. 2017-NMCA-053, 399 P.3d 930. However, as we explain, this case is distinguishable from *James*. In *James*, a deputy saw a defendant they recognized from previous personal encounters driving and stopped the defendant based upon their belief that the defendant was driving with a suspended license. *Id.* ¶ 5. The deputy first encountered the defendant three to four months prior during a traffic stop where it was discovered the defendant was driving with a suspended license. *Id.* ¶ 6. During that same time period, the deputy stopped a vehicle where the defendant was a passenger and learned that the defendant's license was still suspended after running their information. *Id.* In a third instance, three to four weeks

[4] The State's reliance on *Peterson*, 2014-NMCA-008, ¶ 2, is similarly unpersuasive. In that case, officers learned that there was an active warrant issued for a defendant during an ongoing investigation before recognizing and stopping the defendant. Because the officers had knowledge of the active warrant before the stop, they were executing a warrant and reasonable suspicion was not required to make the stop. *Id.* ¶ 9. Here, the officer had no such knowledge when he stopped Defendant, only an inarticulable belief that a warrant was active.

before the stop at issue, the deputy overheard a dispatch report that the defendant was arrested for DWI and again driving with a suspended license. *Id.* This Court held that the deputy had reasonable suspicion to stop the defendant based on the three encounters, reasoning that because "[t]here was no reason for [the deputy] to believe that [the d]efendant had fixed his license problem, . . . we fail to see why [the deputy] was required to call his dispatch to confirm his suspicion that [the d]efendant's license was still suspended under the circumstances." *Id.* ¶ 17.

{16} However, in this case, the officer did not have the same personal knowledge of Defendant. Here, the officer recognized Defendant from unspecified previous encounters. There is nothing in the record indicating those encounters concerned an outstanding warrant. Additionally, the officer testified that when close to two weeks have passed, he has reason to believe that a defendant may no longer have an active arrest warrant because "there's a possibility those individuals could have already been picked up or taken care of their warrant." Although the deputy in *James* relied on three-to-four-week-old information, it was reliable.[5] *See* 2017-NMCA-053, ¶ 17;

[5]Although the dissent points out that it is unclear whether the defendant in *James* had their license suspended following a conviction for DWI in the previous encounter, *dissent* ¶ 27 n.7, the arresting deputy's most recent interaction with the defendant concerned overhearing a dispatch report that another officer arrested the defendant for DWI and driving with a suspended or revoked license. *See James*, 2017-NMCA-053, ¶¶ 6, 13. The deputy's reasonable suspicion was partially based on his knowledge that the defendant had been arrested for DWI three to four weeks prior, and NMSA 1978, Section 66-5-29(C)(1) (2007) revokes the licenses of those

see also NMSA 1978, § 66-5-29(C)(1) (2007) (revoking drivers licenses for at least one year following a DWI). Here, the status of arrest warrants changes frequently such that the reliability of the warrant list decreases over time. Because the officer could not articulate when he last saw the list, the officer's belief that Defendant had an active arrest warrant was based on unreliable information insufficient to form reasonable suspicion. *See Robbs*, 2006-NMCA-061, ¶ 13 ("Reasonable suspicion depends on the reliability . . . of the information possessed by the officers.").

{17} The dissent is correct that reasonable suspicion "is a commonsense, nontechnical conception." *James*, 2017-NMCA-053, ¶ 17. This is exactly the reason it must be evaluated on a case-by-case basis "by looking at the totality of the circumstances," *Robbs*, 2006-NMCA-061, ¶ 9. Therefore, much like this Court's decision in *James*, we do not and cannot set a formulistic timeframe for the reliability of information to apply in all cases. *See* 2017-NMCA-053, ¶¶ 14-17. We do not conclude that a "two-week lapse in time automatically or conclusively renders the warrant list in this case stale or unreliable," as the dissent suggests, but conclude that the list was unreliable due to the officer's own testimony. *See dissent* ¶ 27. Here, the officer testified that the list's reliability wanes over time and that he was unable to say when he saw the list or received it from the magistrate court. This testimony

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convicted of DWI for at least one year, which supports the deputy's belief that it was unlikely the defendant had an active license at the time of the stop.

clearly demonstrates why the warrant list was not a sufficiently reliable foundation on which the officer could base reasonable suspicion. *See Robbs*, 2006-NMCA-061, ¶ 13 ("Reasonable suspicion depends on the reliability and content of the information possessed by the officers."). Further, this does not create uncertainty as the dissent asserts because we are following the established analysis for reviewing reasonable suspicion based on the totality of the circumstances in this case. *See id.* ¶ 9.

{18} Therefore, the State has failed to meet its burden of showing that the officer had articulable and particularized reasonable suspicion to stop Defendant. The district court did not err in granting Defendant's motion to suppress.

II. Attenuation Doctrine

{19} We now turn to the State's alternative argument that reasonable suspicion was not required because under the attenuation doctrine, later discovery of an active warrant for Defendant justified the initial traffic stop in the absence of reasonable suspicion. Defendant argues that this issue was not preserved because the State never argued it below and raises it for the first time on appeal. We agree and explain.

{20} "We generally do not consider issues on appeal that are not preserved below." *State v. Leon*, 2013-NMCA-011, ¶ 33, 292 P.3d 493 (internal quotation marks and citation omitted); *see* Rule 12-321(A) NMRA. "In order to preserve an issue for appeal, a [party] must make a timely objection that specifically apprises the trial court of the nature of the claimed error and invokes an intelligent ruling thereon."

State v. Montoya, 2015-NMSC-010, ¶ 45, 345 P.3d 1056 (internal quotation marks and citation omitted).

> [W]hile the [s]tate may have a number of different theories as to why the evidence should not be suppressed, in order to preserve its arguments for appeal, the [s]tate must have alerted the district court as to which theories it was relying on in support of its argument in order to allow the district court to make a ruling thereon.

State v. Janzen, 2007-NMCA-134, ¶ 11, 142 N.M. 638, 168 P.3d 768.

{21} The State argues this issue was preserved in the State's response to Defendant's motion to suppress for lack of reasonable suspicion. Specifically, the State directs us to the portion of its response where it attempts to distinguish this case from *Ramey*, 2020-NMCA-041. In that case, this Court applied the attenuation doctrine as an exception to the exclusionary rule. *See id.* ¶¶ 18-29. However, the State's response directed the district court to *Ramey* for purposes of a factual distinction supporting its position that the officer in this case had reasonable suspicion to stop Defendant; the State did not direct the district court to *Ramey* for purposes of raising or arguing the attenuation doctrine. Nor did the State raise attenuation as an argument at the suppression hearing such that the district court had an opportunity to rule on it. Thus, the State failed to preserve this issue for appeal, and we accordingly decline to review it.

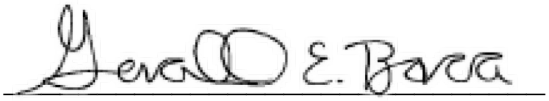
CONCLUSION

{22} For the foregoing reasons, we affirm the district court's order granting Defendant's motion to suppress.

{23} **IT IS SO ORDERED.**

SHAMMARA H. HENDERSON, Judge

I CONCUR:



GERALD E. BACA, Judge

MEGAN P. DUFFY, Judge (concurring in part and dissenting in part).

DUFFY, Judge (concurring in part and dissenting in part).

{24} I respectfully dissent. The officer in this case stopped Defendant because he knew Defendant from previous encounters and had seen Defendant's name on a recent active arrest warrant list provided by the magistrate court. The district court, the majority, and I agree that the information possessed by the officer in this case can, in and of itself, provide a constitutionally reasonable basis for the officer to stop Defendant. Our point of disagreement is whether the information was stale or unreliable. In my view, it was not.

{25} The district court concluded that reasonable suspicion was lacking in this case because the officer said (according to the court), "I think" there was an active warrant, rather than "I know" there was an active warrant. The court reasoned that because the officer was not "absolutely certain" the warrant was still active, he should have confirmed the warrant before stopping Defendant. The majority relies on similar reasoning, concluding that "[b]ecause the officer could not articulate when he last saw the list, the officer's belief that Defendant had an active arrest warrant was based on unreliable information insufficient to form reasonable suspicion." Maj. op. ¶ 16. Yet both views rely on a hyper-technical parsing of the officer's testimony at the suppression hearing and, when viewed in context as a whole, the officer's testimony paints a different picture.

{26} The officer first articulated the basis for his belief that Defendant was subject to an active arrest warrant in response to defense counsel's direct examination:

Defense counsel:	You pulled over [Defendant] on January 27th, 2021, correct?
Officer:	Yeah.
Defense counsel:	And you saw him driving a vehicle, correct?
Officer:	That is correct.
Defense counsel:	And you recognize [Defendant] from previous encounters?
Officer:	Yes.
Defense counsel:	And at the time, you thought he might have an active warrant for his arrest, is that correct?
Officer:	Yes, I believe he had an active warrant for his arrest.
Defense counsel:	And prior to pulling [Defendant] over, did you verify if that warrant was still active?
Officer:	I am provided, most officers from our jurisdiction are provided with a warrant list though magistrate court with individuals with active warrants for their arrest. And I believe at the time [Defendant] was on that warrant list.
Defense counsel:	Did you check that list that day?
Officer:	I don't believe so.

Later, the district court questioned the officer directly:

> Judge: Is the standard protocol that I've got to [verify the warrant] before I detain him?
>
> Officer: I've been here almost ten years and I've done it the exact same way I have in this case every single time. That's how I was taught by my supervisors when I first started and that's how I continue to conduct myself in this type of situation.
>
> Judge: Well, let's get specific. So you rely upon the active warrant sheet issued by magistrate court and nothing else. You don't ever, and you never have, ran the individual or the license plate before you actually detain that person?
>
> Officer: In certain circumstances, I have. *We receive the list fairly periodically. I'd say once a week to once every other week. If I am closer to the two-week mark from the time I received it, I will confirm prior to making contact*.
>
> Judge: And why is that? Why do you confirm prior?
>
> Officer: Due to, like I said, if the two-week period was almost up from the time I received it, there's a possibility those individuals could have already been picked up or taken care of their warrant. *If that would have been the issue in this case, that's what I would have done prior.* I can't recall, I can't say exactly the day I received the warrant list in this certain instance, but that's just like I said, when it gets closer to the two-week mark, it's a little more unsure. When it's closer to when I do receive that, then I . . . just go straight off the warrant list and not confirm prior.
>
> Judge: So explain to me the temporal time. When did you review the warrant list and when was the actual

arrest? What was it? Was it two days? One day? The same day?

Officer: I can't testify to exactly when. It's already been three years since that instance. I can't say exactly when I reviewed the warrant list prior to arresting [Defendant].

Based on the officer's testimony as a whole, I am satisfied that he articulated specific facts to establish the basis for his belief that Defendant had an active arrest warrant, and that the information forming the basis of his belief was neither stale nor unreliable. The officer's testimony establishes that the information upon which he relied was provided by a court in his jurisdiction and was no more than two weeks old. Moreover, the officer spoke of his habit and practice of checking the active warrant list prior to making a stop when he thinks he is closer to the two-week mark. The officer's testimony implies he did not believe he was close to the two-week mark at the time he stopped Defendant, even though the officer was not able to testify to exactly when he checked the list in relation to the stop.

{27} While the majority concludes that the reliability of the warrant list decreases over time, I cannot agree that a mere two-week lapse in time automatically or conclusively renders the warrant list in this case stale or unreliable. Maj. op. ¶ 16.[6] I

[6]The majority appears to suggest that the three-to-four-week period at issue in *James* did not render the information unreliable because drivers' licenses are revoked for at least one year following a DWI conviction. Maj. op. ¶ 16. However, there is nothing in *James* to indicate that the defendant's license was suspended or revoked because of a prior DWI conviction. Absent those facts, there is no basis for

understand the district court and the majority's concern that an arrest warrant may be executed or resolved within the two-week period. But the same is true whether one day or fourteen days have elapsed—there is always a possibility that the warrant may no longer be active at any point within the two-week period. However, given the frequency with which the warrant list is updated in this case, I am persuaded that the officer's reliance on the most recent warrant list as a basis for the stop satisfies the reasonable suspicion standard. And, like the Court in *James*, I "fail to see why [the officer] was required to call his dispatch to confirm his suspicion" that Defendant's warrant was still active under the circumstances. *See James*, 2017-NMCA-053, ¶¶ 17-18 (holding that an officer had reasonable suspicion to stop the defendant on suspicion that the defendant was driving under a suspended or revoked license where the officer knew the defendant and within three to four weeks prior to the stop had learned that the defendant was arrested for driving with a suspended or revoked license). After all, "[r]easonable suspicion is a commonsense, nontechnical conception, which requires that officers articulate a reason, beyond a mere hunch, for their belief that an individual has committed a criminal act." *Id.* ¶ 17 (internal quotation marks and citation omitted)). It does not depend on certainty. *Yazzie*, 2016-NMSC-026, ¶ 33.

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us to conclude that the officer's suspicion in *James* was reasonable because he could expect that the defendant's license would remain suspended for a year.

{28} Finally, I am concerned that the reasoning applied by the district court and the majority will create uncertainty for officers and courts in evaluating the reasonableness of a stop under similar circumstances in the future. The district court believed that an officer could rely on the warrant list for a day or two after receiving it, but beyond that, an officer would need to confirm the warrant before stopping the suspect. The majority suggests a sliding scale of reliability, but provides no guidance as to when the information stated in the warrant list transforms from reliable to stale. Consequently, from this, officers and district courts can infer that the only way to ensure the reliability of the stop is for an officer to obtain certainty about the status of the warrant before detaining the suspect—a formalistic requirement that is incompatible with commonsense policing and the well-settled reasonable suspicion standard.

{29} For the above reasons, I would reverse the district court's order granting Defendant's motion to suppress.

Megan P Duffy

MEGAN P. DUFFY, Judge