

*This opinion is nonprecedential except as provided by
Minn. R. Civ. App. P. 136.01, subd. 1(c).*

**STATE OF MINNESOTA
IN COURT OF APPEALS
A24-1547**

State of Minnesota,
Respondent,

vs.

J'Shaon Rashi Stevenson,
Appellant.

**Filed July 14, 2025
Reversed
Schmidt, Judge**

Hennepin County District Court
File No. 27-CR-22-24303

Keith Ellison, Attorney General, St. Paul, Minnesota; and

Kristyn Anderson, Minneapolis City Attorney, Lindsey R.R. Danielson, Assistant City Attorney, Minneapolis, Minnesota (for respondent)

Cathryn Middlebrook, Chief Appellate Public Defender, Julia Q. Brady, Assistant Public Defender, St. Paul, Minnesota (for appellant)

Considered and decided by Cochran, Presiding Judge; Reyes, Judge; and Schmidt, Judge.

NONPRECEDENTIAL OPINION

SCHMIDT, Judge

Appellant J'Shaon Rashi Stevenson argues that the district court erred when it denied his motion to suppress evidence. We reverse.

FACTS

On October 7, 2022, a Minnesota State Trooper clocked an SUV going 77 mph on a 60-mph road. The trooper stopped the SUV and asked the driver, Stevenson, for his driver's license. Stevenson responded that he did not have his license. The trooper told Stevenson to get out of the vehicle and to come with him to the squad car. Stevenson asked if he had to and the trooper responded that he does not "take names on the side of the road."

Stevenson and the trooper approached the squad car and Stevenson asked, "I don't have to get in, do I?" The trooper responded, "you can keep the door open." The trooper allowed Stevenson to keep his phone, did not frisk him before Stevenson sat down in the squad car, and did not cuff him. After Stevenson sat down in the back of the squad car with the door open, the trooper got in the driver's seat. The trooper asked Stevenson for his name, and Stevenson provided a name with the initials "C.T." While speaking with the trooper, Stevenson was also talking to someone on his phone in the back of the squad car.

The trooper ran the name Stevenson provided which resulted in a photo of a different person. The trooper said to Stevenson, "that ain't you . . . I'm not blind . . . what is your name?" The trooper exited the squad car, walked to the back seat, and then told Stevenson "you're going to be placed under arrest for giving me a false name." Stevenson got out of the car and the trooper cuffed him, patted him down, and put him back in the squad car.

Respondent State of Minnesota charged Stevenson with one count of giving a police officer a false name, one count of driving after revocation, and one count of speeding. Stevenson filed a motion to suppress the evidence recovered from the traffic stop. The district court denied the motion.

Stevenson pleaded not guilty to giving a police officer a false name. After the state dismissed the remaining charges, Stevenson stipulated to the state's case pursuant to Minn. R. Crim. P. 26.01, subd. 4. The parties agreed that the pretrial suppression issue is dispositive and that a trial would be unnecessary if Stevenson prevails on appeal.

The district court found Stevenson guilty of giving a false name to a police officer, and sentenced him to 90 days in jail, stayed for one year.

Stevenson appeals.

DECISION

Stevenson argues that the district court improperly denied his motion to suppress because the trooper's decision to confine Stevenson in the back of his squad car was unreasonable and amounted to an illegal seizure. We agree.

When reviewing a district court's pretrial order on a motion to suppress evidence, appellate courts review the district court's factual findings for clear error and review the district court's legal determinations de novo. *State v. Leonard*, 943 N.W.2d 149, 155 (Minn. 2020). The district court's determination of "whether a search or seizure is justified by reasonable suspicion or by probable cause" is reviewed de novo. *State v. Burbach*, 706 N.W.2d 484, 487 (Minn. 2005).

The United States and Minnesota Constitutions prohibit unreasonable search and seizure by the government. U.S. Const. amend. IV; Minn. Const. art. I, § 10; *State v. Askerooth*, 681 N.W.2d 353, 359 (Minn. 2004). A seizure occurs if a reasonable person "would not feel free to disregard the police questions or to terminate the encounter." *State v. Sargent*, 968 N.W.2d 32, 37 n.3 (Minn. 2021) (quotation omitted).

When determining the reasonableness of a seizure during a traffic stop, Minnesota courts apply the two-step analysis from *Terry v. Ohio*, 392 U.S. 1 (1968). *Askerooth*, 681 N.W.2d at 364. “First, we ask whether the stop was justified at its inception.” *Id.* “Second, we ask whether the actions of the police during the stop were reasonably related to and justified by the circumstances that gave rise to the stop in the first place.” *Id.*

Stevenson does not dispute that the stop was justified. Thus, our focus is on the second *Terry* prong. In analyzing the second prong, we must determine whether “each incremental intrusion” during the traffic stop was strictly “tied to and justified by one of the following: (1) the original legitimate purpose of the stop, (2) independent probable cause, or (3) reasonableness, as defined in *Terry*.” *Id.* at 365. Here, the question is whether the trooper’s escalation of the seizure by making Stevenson sit in the back seat of the squad car was “justified by some governmental interest that outweighed [Stevenson’s] interest in being free from arbitrary interference by law officers.” *Id.* (quotation omitted).

The trooper testified that “the sole reason why [he] asked [Stevenson] to come to the back of [his] squad car is because [Stevenson] did not have a valid driver’s license or a photo ID in possession.” But the Minnesota Supreme Court has held that the inability of a driver to produce a license following a minor traffic violation “in and of itself is not a reasonable basis to require the driver to sit in the back of a squad car.” *State v. Varnado*, 582 N.W.2d 886, 891 (Minn. 1998); *see also Askerooth*, 681 N.W.2d at 365 (“[T]he lack of a driver’s license, by itself, is not a reasonable basis for confining a driver in a squad car’s locked back seat when the driver is stopped for a minor traffic offense.”).

The state argues that *Askerooth* does not apply because the squad car door was shut in *Askerooth* while the squad car door remained open in this case. 681 N.W.2d at 365. But we have found no Minnesota appellate decision—and the state has not cited any authority—that affirmatively allows law enforcement to confine someone in a squad car because they do not have their driver’s license so long as the door remains open.

Indeed, Minnesota precedent has specifically disallowed such conduct. The Minnesota Supreme Court has directly held that failure to produce a driver’s license “is not a reasonable basis to require the driver to sit in the back of a squad car.” *Varnado*, 582 N.W.2d at 891. The supreme court did not qualify or limit this holding to circumstances in which the squad car door was closed. *See id.*

Similarly, this court has not limited the application of *Askerooth* to cases in which a defendant is confined to the locked back seat of a squad car. For example, in *Flynn v. Commissioner of Public Safety*, the district court determined *Askerooth* did not apply because the defendant was confined in the front seat, rather than the back seat, of a squad car. No. A06-1136, 2007 WL 1747008, at *4 (Minn. App. June 19, 2007).¹ We concluded that confining a defendant to the front seat of a squad car was “a distinction without a real difference” because it was unlikely that a defendant would “feel free to leave a patrol car, regardless of whether he was confined to the front or the back seat.” *Id.* at *5. We also noted that nothing in *Askerooth* indicated that the supreme court “intended to limit its holding to instances where confinement was to the back seat of a patrol vehicle.” *Id.*

¹ We cite nonprecedential cases in this opinion for their persuasive authority. Minn. R. Civ. App. P. 136.01, subd. 1(c).

Similarly, in *State v. Desroches*, the state argued *Askerooth* did not apply because the officer did not pat down the defendant prior to placing the defendant in the front seat of the squad car. No. A19-1651, 2020 WL 2119277, at *5 (Minn. App. May 4, 2020). We rejected the state’s attempt to distinguish *Askerooth* because “[t]hese differences are too slight to make a difference.” *Id.* This court concluded that the officer unlawfully expanded the scope of the traffic stop by requiring the defendant to sit in the front seat of the squad car solely because he did not have proof of insurance. *Id.* at *6.

Our nonprecedential decisions—that we find persuasive for resolving this case—are consistent with binding supreme court authorities that have held, without qualification, that the inability to produce a license or proof of insurance is not a reasonable basis to require the driver to sit in a squad car. *See Flynn*, 2007 WL 1747008, at *5; *Desroches*, 2020 WL 2119277, at *6; *see also Askerooth*, 681 N.W.2d at 365; *Varnado*, 582 N.W.2d at 891. To the extent that the state argues that the supreme court’s holdings in *Askerooth* and *Varnado* should be limited or qualified, that is not our role. *See Tereault v. Palmer*, 413 N.W.2d 283, 286 (Minn. App. 1987) (“[T]he task of extending existing law falls to the supreme court or the legislature[.]”), *rev. denied* (Minn. Dec 18, 1987).

The state argues that these circumstances are different from binding and persuasive authority by citing the trooper’s testimony that conducting a comparison of Stevenson and any photo on the squad computer would be “tricky” because the trooper would have to rely solely on memory if Stevenson remained in his own vehicle. But the state has not demonstrated that the trooper requiring Stevenson to sit in the back seat of the squad car “was the only means reasonably available to accomplish the legitimate governmental

interests of identifying [Stevenson] and verifying his license status.” *Askerooth*, 681 N.W.2d at 366. The trooper had several reasonable alternatives other than placing Stevenson in the back of the squad car. For example, the trooper could have lawfully asked Stevenson to stand in front of the squad car while the trooper pulled up the photo and then conducted a side-by-side comparison.

The district court also cited safety concerns, including weather and traffic, to justify requiring Stevenson to sit in the squad car. Although weather and traffic may be proper considerations in different circumstances,² the light rain and traffic in this situation does not outweigh Stevenson’s constitutional rights. *Id.* at 363.

Finally, the state contends we should affirm pursuant to the inevitable discovery doctrine.³ Under the inevitable discovery doctrine, illegally seized evidence is admissible if the state can establish that the fruits of the unconstitutional search or seizure “inevitably would have been discovered by lawful means[.]” *State v. Diede*, 795 N.W.2d 836, 849 (Minn. 2011) (quotation omitted). For the doctrine to apply, there can be “no speculative elements[.]” *State v. Licari*, 659 N.W.2d 243, 254 (Minn. 2003) (quotation omitted). The inevitable-discovery doctrine does not apply to unlawfully obtained statements because

² At oral argument, Stevenson’s counsel conceded that inclement weather conditions—such as sub-zero temperatures during a blizzard—could present a different set of circumstances that may allow for an officer to place a person in the back of the squad car for safety purposes and in furtherance of the officer’s investigation. But we need not consider those circumstances here.

³ At oral argument, the state cited *State v. Engel*, 18 N.W.3d 540 (Minn. App. 2025), to argue an attenuation exception applied. The state did not raise this argument in its brief. Because the state raised this argument for the first time at oral argument, we need not address it. *State v. Thompson*, 886 N.W.2d 224, 234 n.8 (Minn. 2016).

“the content of a statement, by its very nature, is speculative.” *State v. McClain*, 862 N.W.2d 717, 724 (Minn. App. 2015). “Even a slight change in the circumstances under which the statement is made could lead to a different outcome.” *Id.*

Stevenson was convicted of providing a fake name to the trooper. As we held in *McClain*, whether Stevenson would have provided the same statement—i.e., the fake name—absent the unlawful seizure is speculative. *Id.* “[I]t is not inevitable that [Stevenson would] give the same statement under different or even similar circumstances.” *Id.* Stevenson provided the fake name after a “slight change in the circumstances”—being required to move from his own vehicle to the back of a squad car. *Id.* That change in circumstances under which Stevenson made the statement “could lead to a different outcome.” *Id.* Because the inevitable discovery doctrine does not apply, the exclusionary rule requires suppression of the evidence.

Reversed.