

*This opinion is nonprecedential except as provided by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
A24-1817**

State of Minnesota,
Respondent,

vs.

Sterling William Stennis,
Appellant.

**Filed December 8, 2025
Affirmed
Cochran, Judge**

Ramsey County District Court
File No. 62-CR-23-5650

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

John J. Choi, Ramsey County Attorney, Anna R. Light, Assistant County Attorney, St. Paul, Minnesota (for respondent)

Cathryn Middlebrook, Chief Appellate Public Defender, Suzanne M. Senecal-Hill, Assistant Public Defender, St. Paul, Minnesota (for appellant)

Considered and decided by Ede, Presiding Judge; Smith, Tracy M., Judge; and Cochran, Judge.

NONPRECEDENTIAL OPINION

COCHRAN, Judge

On appeal from his conviction of gross misdemeanor driving after cancellation as inimical to public safety, appellant challenges the denial of his motion to suppress evidence. Appellant argues that the district court erred in its denial of his motion to suppress evidence obtained from law enforcement's computerized check of appellant's license-plate number because the district court incorrectly concluded that appellant had no privacy interest in either the contents of his license plate or the information learned from the computerized check of his license plate number. We affirm.

FACTS

The following facts were found by the district court in its order denying Stennis's motion to suppress. On the afternoon of September 22, 2023, a police officer and his partner were patrolling when they observed a car parked in a store parking lot. The car was not occupied. The officer conducted a computerized check of the license-plate number of the parked car as part of a random check of license plates in the area. That check revealed that the vehicle was registered to appellant Sterling William Stennis. The check also revealed that (1) the license plates on the vehicle were revoked, (2) Stennis's driver's license status was cancelled as inimical to public safety, and (3) Stennis had a warrant for his arrest due to a probation violation.

The police officer and his partner pulled into a parking lot across the street from the store parking lot. When Stennis returned to the vehicle and drove away, the police officer and his partner confirmed that the driver of the vehicle matched the image of the vehicle

owner in their computer database and stopped Stennis's vehicle. The police officer then ordered Stennis out of the vehicle and arrested him. Stennis admitted he had an outstanding warrant and that his driver's license was cancelled. Following a search of the vehicle incident to arrest, officers found a pistol inside the vehicle.

Respondent State of Minnesota subsequently charged Stennis with (1) one count of possession of a pistol without a permit in a public place and (2) one count of driving after cancellation of a driver's license—inimical to public safety. Stennis moved to suppress the evidence obtained through the traffic stop on the ground that it was obtained in violation of his constitutional right to privacy. The district court held a contested evidentiary hearing on the motion and heard testimony from the police officer who ran the computerized license-plate search. Because Stennis's motion challenged the validity of the traffic stop itself, the district court construed the motion to suppress as a motion to dismiss the entire complaint. The district court denied Stennis's motion on the grounds that the officer's computerized check of Stennis's license-plate number did not violate Stennis's constitutional rights, concluding that Stennis did not have a reasonable expectation of privacy in his openly displayed license-plate number under either the Minnesota or United States Constitutions. The district court did not address Stennis's additional argument that the search violated his right to privacy in the information learned by officers as a result of the computerized check that led to his arrest.

The case proceeded to a jury trial. The jury found Stennis guilty of driving after cancellation as inimical to public safety and not guilty on the charge of possession of a

pistol without a permit.¹ For his conviction of driving after cancellation, the district court sentenced Stennis to 180 days' incarceration with five days' credit and the remaining time stayed for a probationary period of two years.

Stennis appeals.

DECISION

Stennis challenges the district court's denial of his motion to suppress evidence obtained following a computerized check of his license-plate number and his resultant conviction for driving with a canceled license.

“On a pretrial motion to suppress, we review the district court's factual findings for clear error and legal determinations de novo.” *State v. Malecha*, 3 N.W.3d 566, 570 (Minn. 2024) (citation omitted). “When facts are not in dispute,” this court reviews “a pretrial order on a motion to suppress de novo and determine[s] whether the police articulated an adequate basis for the search or seizure at issue.” *State v. Williams*, 794 N.W.2d 867, 871 (Minn. 2011) (quotation omitted).

Both the United States and Minnesota Constitutions prohibit unreasonable searches and seizures. U.S. Const. amend. IV; Minn. Const. art. I, § 10. Minnesota's constitutional protections against unreasonable searches and seizures mirror those found in the Fourth Amendment. *In re Welfare of B.R.K.*, 658 N.W.2d 565, 577 (Minn. 2003). “An individual may invoke the protection of the Fourth Amendment by showing that he personally has an expectation of privacy in the place searched, and that his expectation is reasonable.” *Id.* at

¹ At trial, there was testimony that the pistol found in Stennis's vehicle did not belong to Stennis.

571 (quotation omitted). Similarly, to invoke the protections against unreasonable searches and seizures under the Minnesota Constitution, a defendant must demonstrate “a legitimate expectation of privacy in” the information accessed. *State v. Gail*, 713 N.W.2d 851, 860 (Minn. 2006). An appellant’s “rights to challenge any search under Article I, Section 10 of the Minnesota Constitution are coextensive with appellants’ rights under the Fourth Amendment to the United States Constitution.” *Id.* at 859. Evidence obtained from an unlawful search or seizure generally must be suppressed. *State v. Taylor*, 965 N.W.2d 747, 752 (Minn. 2021).

Stennis argues generally that the officer’s computerized check of his vehicle’s license-plate number was unlawful because the search violated Stennis’s constitutional right to privacy by accessing his personal information. We construe Stennis’s argument as raising two distinct issues: (1) whether Stennis was subject to an unreasonable search because Stennis has a reasonable expectation of privacy in his license-plate number, and (2) whether the computerized check violated a constitutional right to privacy in driving records and warrant status maintained in a database accessible to law enforcement. We address each issue in turn.

I. The police officer’s computerized check of the vehicle’s license-plate number did not violate a reasonable expectation of privacy.

Stennis first contends that the district court erred in denying his motion to suppress because the police officer’s decision to run his license-plate number “based solely on a whim” violated the constitutional prohibition on unreasonable searches and seizures.

Stennis’s argument presents a question of law that we review de novo. *State v. Gauster*, 752 N.W.2d 496, 502 (Minn. 2008).

Stennis acknowledges that the United States Supreme Court has held that when an officer runs a vehicle’s license-plate number and learns that the registered owner has a revoked driver’s license, the Fourth Amendment permits the officer to conduct an investigative traffic stop. *Kansas v. Glover*, 589 U.S. 376, 381-82 (2020). But Stennis calls on this court to interpret “the state constitution to afford its citizens greater protection than the federal constitution” by recognizing that Stennis has a reasonable expectation of privacy in a vehicle’s license plate under the Minnesota Constitution. We decline Stennis’s invitation.

This court has previously held that “[a] driver does not have a reasonable expectation of privacy in a license plate number which is required to be openly displayed” and therefore a computerized license-plate check performed by law enforcement does not constitute a search under the Minnesota Constitution or United States Constitution. *State v. Setinich*, 822 N.W.2d 9, 13 (Minn. App. 2012). As here, the appellant in *Setinich* was subject to an investigatory stop after a state trooper ran his license plate and discovered that the registered owner of the vehicle had an outstanding arrest warrant. *Id.* at 11. The trooper in *Setinich* had not observed any unlawful driving conduct or equipment violations before the traffic stop. *Id.* The trooper’s reasonable suspicion for the stop was therefore derived entirely from the information gathered through a “noninvasive, electronic” license-plate check. *Id.* at 12. In support of our holding that a computerized check of a license plate does not violate any reasonable expectation of privacy, we noted that

Minnesota Statutes section 169.79, subdivision 1, requires license plates to be “conspicuously displayed” on vehicles. *Id.* We also noted that “unlike a physical stop to check the vehicle’s license plate, a computerized license-plate check is not a seizure that implicates the Fourth Amendment.” *Setinich*, 822 N.W.2d at 12 (citing *State v. Henning*, 666 N.W.2d 379, 383 (Minn. 2003)). For these reasons, we concluded that a computerized check of an openly displayed license plate does not amount to a search or seizure under either the Minnesota or United States Constitutions. *Id.* at 12-13.

Our holding in *Setinich* controls in this case. *See State v. Peter*, 825 N.W.2d 126, 129 (Minn. App. 2012) (stating that this court is bound by its precedential decisions), *rev. denied* (Minn. Feb. 27, 2013); *State v. Chauvin*, 955 N.W.2d 684, 690 (Minn. App. 2021) (explaining that “[s]tare decisis is a foundation stone of the rule of law that instructs appellate courts to stand by yesterday’s decisions” (quotations omitted)), *rev. denied* (Minn. Mar. 10, 2021). Stennis makes no argument that this case is somehow distinguishable from *Setinich*. We therefore conclude that Stennis had no “reasonable expectation of privacy” in his vehicle’s license-plate number, which was openly displayed. *Setinich*, 822 N.W.2d at 12; *see also* Minn. Stat. § 169.79, subd. 1 (2024) (current version requiring license plates to be conspicuously displayed). Consequently, the officer’s electronic check of Stennis’s license-plate number did not violate any reasonable expectation of privacy or the prohibition against unreasonable searches and seizures under the Minnesota and United States Constitutions. U.S. Const. amend. IV; Minn. Const. art. I, § 10. Therefore, we conclude that the district court correctly determined Stennis did not have a reasonable expectation of privacy in his license-plate number.

II. The officer’s discovery of Stennis’s driving status as a result of the license-plate check did not violate any right to privacy.

Stennis next asks this court “to interpret the Minnesota Constitution to protect his right to privacy in the personal information contained in his driving record” and conclude the license-plate check that allowed the police officer to access this information was an unconstitutional search. Stennis makes no argument that the United States Constitution affords similar protections.

As Stennis notes, the district court did not directly decide whether Stennis has a right to privacy under the Minnesota Constitution in the information the police officer accessed when the officer conducted the computerized license-plate check, notwithstanding that Stennis raised the issue with the district court. However, because the determination of whether such a right to privacy exists is purely a legal conclusion, we address the issue. *See Woodhall v. State*, 738 N.W.2d 357, 363 n.6 (Minn. 2007) (addressing a constitutional issue raised for the first time on appeal, “[b]ecause a statute’s constitutionality is a purely legal issue”). We review legal issues de novo. *Gauster*, 752 N.W.2d at 502.

“While the Fourth Amendment to the federal Constitution is almost identical to article I, section 10, of the Minnesota Constitution, the scope of protection each affords is not necessarily the same. A state court may interpret its state’s constitution so as to offer greater protection of individual rights.” *Ascher v. Comm’r of Pub. Safety*, 505 N.W.2d 362, 366 (Minn. App. 1993), *aff’d*, 519 N.W.2d 183 (Minn. 1994); *see also City of Golden Valley v. Wiebesick*, 899 N.W.2d 152, 157 (Minn. 2017).

Under the Minnesota Constitution, “the right of privacy protects only fundamental rights.” *Women of State of Minn. by Doe v. Gomez*, 542 N.W.2d 17, 27 (Minn. 1995). “Fundamental rights are those which have their origin in the express terms of the Constitution or which are necessarily to be implied from those terms.” *Id.* (quotation omitted). “A search occurs when the government seeks to gain information by infringing upon a person’s ‘reasonable expectation of privacy.’” *State v. Carbo*, 6 N.W.3d 114, 121 (Minn. 2024) (quoting *Katz v. United States*, 389 U.S. 347, 360 (1967) (Harlan, J., concurring)).

Stennis argues that his right to privacy under the Minnesota Constitution extends to information contained in the database accessed by the police officer who conducted the license-plate check. As a result, Stennis contends that the license-plate check was an unconstitutional search in violation of Article I, Section 10 of the Minnesota Constitution. But Stennis cites no Minnesota precedent to support the conclusion that a right to privacy under the Minnesota Constitution exists in information contained in the database checked by the police officer when doing the license-plate check. Nor does he argue that such a right exists under the United States Constitution and that, by extension the right also exists under the Minnesota Constitution.

While Stennis limits his argument to the Minnesota Constitution, the state notes that federal courts have concluded that there is no Fourth Amendment right to privacy in “the type of information typically found in driver’s licenses.” *Mallak v. Aitkin Cnty.*, 9 F. Supp. 3d 1046, 1062 (D. Minn. 2014). In *Mallak*, the federal district court dismissed plaintiff’s claim that various Minnesota counties and municipalities violated her constitutional right

to privacy by improperly accessing her driver's license record information including her name, date of birth, and driver's license photos. *Id.* at 1062, 1068. The court reasoned that because "this information is readily and regularly disclosed anywhere one presents a driver's license . . . there is no reasonable expectation of privacy in such information." *Id.* at 1062. In reaching this decision, the court noted that the Fourth and Eleventh Circuits have declined to find a constitutional right to privacy under the Fourth Amendment in any information contained in driving records. *Id.* (citing *Condon v. Reno*, 155 F.3d 453, 464 (4th Cir. 1998), *rev'd on other grounds by Reno v. Condon*, 528 U.S. 141 (2000), and *Pryor v. Reno*, 171 F.3d 1281 (11th Cir. 1999), *rev'd on other grounds by Reno v. Pryor*, 528 U.S. 1111 (2000)). In *Condon*, the Fourth Circuit explained that "the type of information found in motor vehicle records . . . is the very sort of information to which individuals do not have a reasonable expectation of privacy" under the Fourth Amendment. *Condon*, 155 F.3d at 464.

In considering whether the Minnesota Constitution provides greater protections than the United States Constitution, our Minnesota Supreme Court has instructed that it does not "construe our state constitution as providing more protection for individual rights than does the federal constitution unless there is a principled basis to do so." *Kahn v. Griffin*, 701 N.W.2d 815, 824 (Minn. 2005). And "when both constitutions use identical or substantially similar language," Minnesota courts "take a more restrained approach" to interpreting Minnesota's constitutional provisions. *Id.* at 828. Critically for our analysis in this case, the two provisions at issue use identical language. Article I, section 10 of the Minnesota Constitution prohibiting unreasonable searches and seizures "is identical to the

provision against unreasonable searches and seizures found in the Fourth Amendment to the United States Constitution.” *State v. Harris*, 590 N.W.2d 90, 97 (Minn. 1999); *see also Wiebesick*, 899 N.W.2d at 157 (reaffirming “that the Fourth Amendment to the United States Constitution is textually identical in all relevant respects to Article I, Section 10 of the Minnesota Constitution” (quotation omitted)). Consequently, absent a “principled basis” to provide individuals greater protections against searches of their license-plate numbers than under the U.S. Constitution, this court is confined to a “restrained approach.” *Kahn*, 701 N.W.2d at 824, 828.

We conclude that Stennis has not demonstrated a principled basis for recognizing a right to privacy under the Minnesota Constitution in information accessed by a police officer during a license-plate check. Stennis concedes that the right to privacy under the Minnesota Constitution protects only fundamental rights. Yet, Stennis does not explain how the information the police officer accessed by the license-plate check, including whether his license was canceled as inimical to public safety, is grounded in a fundamental right under the state constitution.² *Id.* at 824.

The information at issue is accessible to law enforcement under current law. Minnesota law *requires* the commissioner of public safety to provide law enforcement with

² Stennis also makes policy-based arguments for the recognition of the constitutional right to privacy in driving records. Stennis points to the “unrestrained police power” that the police officer exercised in checking Stennis’s license plate “on a whim” as a cause of racial disparities in policing outcomes in Minnesota. But “[b]ecause this court is limited in its function to correcting errors[,] it cannot create public policy.” *LaChapelle v. Mitten*, 607 N.W.2d 151, 159 (Minn. App. 2000), *rev. denied* (Minn. May 16, 2000). Consequently, we decline to consider these policy arguments.

“names and addresses of persons residing within the local agency’s jurisdiction whose drivers’ licenses or driving privileges have been canceled.” Minn. Stat. § 171.043 (2024). And the Minnesota Government Data Practices Act classifies arrest warrants as public. *See* Minn. Stat. § 13.84, subd. 7(e) (2024) (noting that “arrest and detention orders, orders for parole or probation revocation and the reasons for revocation” are public). As we have held before, “[g]enerally, an individual does not have a privacy right in public information.” *Minneapolis Fed’n of Tchrs., AFL-CIO, Loc. 59 v. Minneapolis Pub. Schs., Special Sch. Dist. No. 1*, 512 N.W.2d 107, 110 (Minn. App. 1994), *rev. denied* (Minn. Mar. 31, 1994); *see also State v. Vonderharr*, 733 N.W.2d 847, 852 (Minn. App. 2007) (noting that the Minnesota Department of Public Safety maintains driver’s license records to “provide current information about the license status of drivers to ensure that only drivers with valid licenses operate motor vehicles in the state”). For these reasons, we conclude that Stennis has not demonstrated any fundamental right giving rise to a right to privacy under the Minnesota Constitution in the information accessed by the police officer regarding Stennis or his vehicle during the license-plate check.

III. Conclusion

In sum, we conclude that the district court did not err when it found that Stennis had no right to privacy under the Minnesota Constitution in his vehicle’s license-plate number. We also conclude that Stennis has not shown that he has a constitutional right to privacy in his driving record or warrant status maintained in a database accessible to the police officer in the context of a computerized license-plate check. We therefore conclude that

the district court properly denied Stennis's motion to suppress all evidence resulting from the check of the license-plate number of Stennis's vehicle.

Affirmed.