

*This opinion is nonprecedential except as provided by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
A25-0364**

State of Minnesota,
Respondent,

vs.

Shane Maurice McPike,
Appellant.

**Filed February 23, 2026
Affirmed; motion denied
Bentley, Judge**

Hennepin County District Court
File No. 27-CR-21-12222

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Considered and decided by Bentley, Presiding Judge; Bratvold, Judge; and Jesson,
Judge.*

* Retired judge of the Minnesota Court of Appeals, serving by appointment pursuant to
Minn. Const. art. VI, § 10.

NONPRECEDENTIAL OPINION

BENTLEY, Judge

In this direct appeal from a conviction for first-degree sale of controlled substances and possession of a firearm by an ineligible person, appellant argues that the district court erred by denying his motion to suppress evidence seized during the execution of a search warrant at his residence. Specifically, he argues that the search warrant application did not allege facts sufficient to support a nexus between the apartment and his alleged criminal activity. We affirm.

FACTS

The following facts derive from the evidence and testimony received at a jury trial. Law enforcement was investigating appellant Shane Maurice McPike for alleged criminal activity related to controlled substances and firearm possession. Pursuant to that investigation, officers were surveilling the apartment building believed to be McPike's residence when McPike arrived in his vehicle. Officers initiated a stop. McPike was in the driver's seat, and a female passenger sat in the front passenger seat. Officers asked McPike and his passenger to exit the vehicle, took both into custody, and searched the vehicle. During the search, officers located a bag containing suspected heroin on the passenger-side floor of the car. After the vehicle search was conducted, Officer W. applied for a warrant to search the apartment.¹

¹ We refer to the officers by their initials instead of their full names in accordance with our rules of public access. *See* Minn. R. Pub. Access to Recs. of Jud. Branch 8, subd. 2(b) (recommending that appellate opinions limit disclosure of witness identities "to what is necessary and relevant").

Officer W. alleged the following facts in the search-warrant application. Officer W. is an officer with the Gun Investigations Unit of the Minneapolis Police Department with training in “street level sales of narcotics, and undercover narcotics operations.” He was contacted by a confidential informant (CI), who alleged that McPike deals “large amounts of heroin and cocaine in the Minneapolis area” and belongs to the Family Mob street gang. The CI claimed that McPike supplied the “entire Family Mob gang with illegal narcotics.” The CI also alleged to have personally observed McPike possessing “multiple ounces of cocaine within the last week” as well as a “handgun which he uses to protect himself from being robbed of his drugs and/or drug money.” The CI provided a physical description of McPike and his phone number, and the CI stated that they “had firsthand knowledge that McPike,” accompanied by his girlfriend, “was going to be driving to Chicago . . . to pick up multiple kilos of heroin and cocaine.” Officer W. said he knew “a Shane McPike from prior investigations” and showed the CI a photo of McPike. The CI confirmed that the person in the photo was the same person who the CI knew to be dealing narcotics.

In the search-warrant application, Officer W. continued to explain that he had obtained a warrant to track McPike’s cellphone and received “GPS pings” indicating that the phone was in Chicago. Two days later, Officer W. received more GPS pings indicating that the phone was moving back toward Minnesota. Officer W. arranged to have plain-clothed officers monitor an apartment building believed to be McPike’s residence. No specific facts were alleged in the application about how Officer W. knew it was McPike’s residence. Officer W. then described the stop of McPike’s vehicle, and he additionally stated that officers recovered \$1,625 in cash from McPike’s person in a search incident to

arrest. Officer W. requested that the court authorize a search warrant for the apartment to search for “illegal narcotics, firearm[s], contraband, and other items.” The district court determined that probable cause existed sufficient to search the apartment and issued the warrant.

In the ensuing search of the apartment, officers located a large plastic bin that contained a firearm, magazines to a firearm, a bag holding a mixture of heroin and fentanyl weighing 53.178 grams plus-or-minus 0.022 grams, and a bag of cocaine weighing 134.765 grams plus-or-minus 0.022 grams.

Respondent State of Minnesota initially charged McPike with three counts relating to the sale and possession of controlled substances and possession of ammunition or any firearm by an ineligible person. The complaint was later amended to add five counts, for a total of eight counts.²

Before trial, McPike moved to suppress the evidence obtained in the search of the apartment. McPike argued that the search warrant lacked probable cause because Officer W.’s application did not articulate how he knew the apartment was McPike’s

² The amended complaint charged McPike as follows: count one, first-degree sale of 17 grams or more of cocaine or methamphetamine within 90 days, Minn. Stat. § 152.021, subd. 1(1) (2020); count two, first-degree sale of 50 grams or more of a narcotic other than cocaine, heroin, or methamphetamine within 90 days, Minn. Stat. § 152.021, subd. 1(4) (2020); counts three and four, possession of ammunition or any firearm by a person with a conviction for a crime of violence, Minn. Stat. § 624.713, subd. 1(2) (2020); count five, first-degree possession of 50 grams or more of cocaine or methamphetamine, Minn. Stat. § 152.021, subd. 2(a)(1) (2020); count six, second-degree possession of 50 grams or more narcotic—not cocaine, methamphetamine, or heroin, Minn. Stat. § 152.022, subd. 2(a)(4) (2020); count seven, first-degree sale of ten grams or more of heroin within 90 days, Minn. Stat. § 152.021, subd. 1(3) (2020); and count eight, first-degree possession of 25 grams or more of heroin, Minn. Stat. § 152.021, subd. 2(a)(3) (2020).

residence or how there was a “high probability that evidence of a crime will be found in the apartment at that time[.]” (Emphasis omitted.) McPike also noted that the CI’s tip alleged only that McPike was transporting drugs in his car and did not mention the apartment. Without a connection between the apartment and the illegal activity, McPike argued, there was no probable cause to search. The state argued in response that the warrant application “established a sufficient nexus between [McPike], the apartment, and criminal activity based on a totality of the circumstances.”

The district court denied McPike’s motion to suppress. The district court determined that the search warrant affidavit “provided sufficient probable cause for the Signing Judge to find the CI credible” and “established a sufficient nexus to assume that [McPike’s] residence is a location where drugs and contraband would be found.” The district court determined that the CI was credible because law enforcement corroborated “several detailed tips provided by the CI”—namely, McPike’s identifying characteristics and cell phone number, his travel to Chicago, and that McPike had controlled substances in his vehicle when he returned, even if the quantity was less than the CI had anticipated. With regard to the nexus to the apartment, the district court determined that the search warrant application provided “ample reason to believe [McPike] was engaged in illegal drug activity” and, “[u]nder the totality of the circumstances, the presence of heroin and large amount of cash are indicative of drug sale.” The district court further explained:

Although [McPike] did not enter [the apartment] upon his return from Chicago, Illinois, the search warrant affidavit still supplies sufficient information to establish a nexus between evidence of [McPike’s] criminal drug activity and [the apartment]. The Court does not elect to engage in a

hypertechnical analysis regarding Officer [W.’s] knowledge of [McPike’s] apartment number. Officer [W.] has interacted with [McPike] in the past, and from the totality of the circumstances, the Court is able to infer that Officer [W.] knew this building and apartment number to be [McPike’s] residence when he submitted the search warrant application specifically for [this apartment].

The court concluded that it was “reasonable . . . to believe that [McPike] would keep drug-related contraband in his place of residence.”

At trial, the state presented several officers who testified about their search of MCPike’s apartment. Two forensic scientists with the Bureau of Criminal Apprehension testified to the composition and weight of the substances obtained in the search and described the results from DNA testing on the firearm and magazine, which revealed a “mixture of two or more individuals” but with a “major male DNA profile that matches [McPike].”

The jury found MCPike guilty of all eight counts. The district court convicted MCPike of counts one through three and sentenced MCPike to 100 months’ imprisonment on count one and to 60 months’ imprisonment on count three. The court did not impose a sentence on count two and did not adjudicate the remaining counts.

McPike appeals the denial of the motion to suppress.

DECISION

McPike argues that the district court erred by denying his motion to suppress because the search warrant for the apartment was not supported by probable cause. He maintains that Officer W.’s application did not allege facts that establish a nexus between the alleged criminal activity and that location.

The United States and Minnesota Constitutions protect individuals from unreasonable searches and seizures. U.S. Const. amend. IV; Minn. Const. art. 1, § 10. To search a residence, officers usually must obtain a valid warrant supported by probable cause. *State v. Yarbrough*, 841 N.W.2d 619, 622 (Minn. 2014); Minn. Stat. § 626.08 (2020). Probable cause exists when there is a fair probability that evidence of a crime will be found in a certain location, which in turn requires evidence of a “sufficient ‘nexus’ . . . between the evidence sought and the place to be searched.” *Yarbrough*, 841 N.W.2d at 622. A nexus “may be inferred from the totality of the circumstances,” *id.*, even without direct observation of criminal activity at the location, *State v. Ruoho*, 685 N.W.2d 451, 456 (Minn. App. 2004), *rev. denied* (Minn. Nov. 16, 2004). Factors that courts consider under a totality-of-the-circumstances analysis include “the type of crime, the nature of the items sought, the extent of the defendant’s opportunity for concealment, and the normal inferences as to where the defendant would usually keep the items.” *Yarbrough*, 841 N.W.2d at 623.

When reviewing a pretrial order on a motion to suppress evidence obtained in a search pursuant to a warrant, we “afford the district court’s [probable cause] determination great deference.” *State v. Rochefort*, 631 N.W.2d 802, 804 (Minn. 2001). We focus our review on “whether the judge issuing the warrant had a substantial basis for concluding that probable cause existed.” *State v. Jenkins*, 782 N.W.2d 211, 222-23 (Minn. 2010) (quotation omitted). We limit the scope of our review “to the information presented in the application, and the reasonable inferences that can be drawn from that information.” *State v. Nagle*, 26 N.W.3d 585, 590 (Minn. 2025).

For the following reasons, considering the CI's tip, Officer W.'s personal familiarity with McPike, and the drugs and cash found in law enforcement's search of McPike's person and his vehicle, we conclude that there was a substantial basis for the district court's probable-cause determination.

CI's Tip

The tip from the CI supports both an inference that McPike was engaged in criminal activity and a nexus between that activity and the apartment. Specifically, the CI informed law enforcement that McPike supplied the Family Mob street gang with drugs. The Minnesota Supreme Court has held that evidence that an individual sells drugs in large quantities supports an inference that he may have drugs in his residence. *See Yarbrough*, 841 N.W.2d at 623 ("It may be reasonable to infer that drug wholesalers keep drugs at their residences[.]"). The tip therefore supports the district court's probable-cause determination because it alleges both the nature of criminal activity McPike was involved in and provides reason to believe that evidence of that activity may be found in the apartment.³

McPike argues that the CI's information was not reliable and, therefore, does not support the probable-cause determination. We disagree. "In determining probable cause, [courts] must consider the 'veracity' and 'basis of knowledge' of persons supplying hearsay information." *State v. Souto*, 578 N.W.2d 744, 750 (Minn. 1998) (quoting *Illinois*

³ The state argues that this drug-wholesaler inference is sufficient on its own to support probable cause. We do not reach this argument because we conclude under a totality-of-the-circumstances analysis that the warrant application presents a substantial basis for the district court's probable-cause determination. Evidence of McPike's alleged involvement in drug sales is a relevant consideration in our analysis, regardless of whether the drug-wholesaler inference would be sufficient to support probable cause on its own.

v. Gates, 462 U.S. 213, 238 (1983)). “[V]eracity can be proven by showing that details of the tip have been sufficiently corroborated so that it is clear the informant is telling the truth on this occasion.” *State v. Holiday*, 749 N.W.2d 833, 840 (Minn. App. 2008) (quotation omitted). The “preferred” basis of knowledge in CI tips includes “[r]ecent personal observation of incriminating conduct.” *State v. Wiley*, 366 N.W.2d 265, 269 (Minn. 1985). A CI’s allegation, that “the event was observed firsthand, entitles his tip to greater weight than might otherwise be the case.” *Gates*, 462 U.S. at 234.

Here, law enforcement corroborated information provided by the CI about McPike’s phone number and McPike’s travel to Chicago. Because “[e]ven corroboration of minor details lends credence to an informant’s tip,” the corroboration of these details supports that the CI had a basis of knowledge for the information communicated to Officer W. *Holiday*, 749 N.W.2d at 841. The CI also alleged personal, recent observations of McPike possessing multiple ounces of cocaine, entitling the tip to “greater weight.” *Gates*, 462 U.S. at 234.

McPike focuses on the fact that the CI informed law enforcement that McPike was traveling to Chicago to pick up “kilos” of narcotics but, when officers searched McPike’s car upon his return from Chicago, they found a much smaller quantity of heroin. We do not view that inaccuracy to be fatal to the overall reliability of the tip. “In satisfying the corroboration requirement, there is no mandate that *every* fact in the CI’s tip be corroborated, that a certain number of facts be corroborated, or that certain types of facts must be corroborated.” *Holiday*, 749 N.W.2d at 841. Law enforcement corroborated several other critical details in the CI’s tip, even if every detail was not confirmed or

accurate. The tip had sufficient veracity regarding McPike's criminal activity to support the existence of probable cause.

Officer W.'s Personal Knowledge

The warrant application included a reference to Officer W.'s personal knowledge and prior experience with McPike. McPike argues that this information was too vague and conclusory to tie McPike and any criminal activity to the apartment. A law enforcement officer's training and personal knowledge "can be a proper factor to consider in making a probable-cause determination." *State v. Brennan*, 674 N.W.2d 200, 204 (Minn. App. 2004), *rev. denied* (Minn. Apr. 20, 2004); *see also State v. Munoz*, 385 N.W.2d 373, 376 (Minn. App. 1986) (stating that an officer's personal knowledge may corroborate other evidence and support probable cause). Officer W. stated in the warrant application that he was familiar with a "Shane McPike" from previous investigations, and he confirmed that the CI's tip was about the same person by showing the CI a photo of McPike. Officer W. also set up surveillance of the apartment he believed to be McPike's residence, and McPike arrived at that very location when returning from Chicago. We apply a common-sense approach to reviewing warrants, rather than a hypertechnical analysis. *See Ruoho*, 685 N.W.2d at 456. Common-sense inferences drawn from Officer W.'s personal knowledge and McPike's arrival at the apartment supports that McPike resided at that location. And because the CI alleged that McPike sells large quantities of drugs, McPike's residence was a location where police were likely to find evidence of that activity. *See Yarbrough*, 841 N.W.2d at 623. Officer W.'s knowledge and experience therefore also support the existence of probable cause.

Evidence Recovered in the Vehicle Search and the Search Incident to Arrest

The cash and heroin found in the search of McPike's person and his vehicle provide additional support for the district court's probable-cause determination. Possession of a small quantity of controlled substances is not enough, by itself, to establish a nexus to a different location, but when "significantly more evidence link[s] [the defendant's] drug activity on the street to his home," a nexus may be supported. *State v. Kahn*, 555 N.W.2d 15, 19 (Minn. App. 1996). Similarly, possession of a large amount of cash may support an inference that a defendant is selling controlled substances. *See State v. Collard*, 414 N.W.2d 733, 736 (Minn. App. 1987) (considering a large sum of cash found in the defendant's car among factors supporting his intent to sell), *rev. denied* (Minn. Jan. 15, 1988). McPike's possession of the small quantity of heroin and large amount of cash upon arrival at the apartment's parking lot strengthens both the inference of his involvement in drug sales and the nexus between that activity and the apartment.

McPike relies on *Kahn* to argue that his possession of a small quantity of drugs did not support an inference that he was selling drugs or that drugs may be found in the apartment. In *Kahn*, a search warrant was granted for a defendant's home after he was stopped approximately 80 miles from his residence with one ounce of cocaine in his vehicle. 555 N.W.2d at 18. We concluded that these facts alone were not sufficient to support probable cause to search the residence because "[m]ore than mere possession of an ounce of cocaine is required to demonstrate probable cause that an individual is a dealer and that his home contains evidence or contraband." *Id.*

Kahn is not analogous here. The conclusion in *Kahn* turned on the 80-mile distance between his residence and the location of the car search. McPike was stopped in the parking lot of his apartment. Also, although McPike possessed a smaller amount of drugs on his person and in his car than Kahn did, other factors exist here that support the inference that McPike was selling drugs and that evidence could be found in the apartment, including the cash and the CI's tip.

Totality of the Circumstances

Considering these factors together, we conclude that the district court did not err in determining that the totality of the circumstances alleged in the warrant application supported an inference of a nexus between McPike's alleged drug dealing and the apartment. The district court could reasonably infer from the CI's tip that evidence of McPike selling large quantities of drugs could be found in his residence. It could also infer that the apartment was McPike's residence from Officer W.'s knowledge and from the fact that McPike returned there after a trip to Chicago. And those inferences are further supported by the officers' discovery of heroin and a large quantity of cash upon McPike's arrival at the apartment's parking lot. From these facts, the district court reasonably could infer a nexus between McPike's alleged criminal activity and the location to be searched. It follows that there was a substantial basis for the district court's determination of probable cause to search the apartment.

Before concluding, we note that the state moved to strike a portion of McPike's reply brief that referenced information in the application for the cellphone-tracking warrant that the state obtained before it sought a warrant to search his apartment. The state

maintains that information in the cellphone-tracking warrant application is outside the scope of our review of the validity of the apartment search warrant. We do not rely on the cellphone warrant application or the challenged portion of McPike's reply in our analysis, and, for that reason, we deny the state's motion to strike as moot. *See Justice v. Marvel, LLC*, 979 N.W.2d 894, 903 n.9 (Minn. 2022) (denying a motion to strike a portion of a party's brief as moot when the court did not rely on the challenged material in its analysis).

Affirmed; motion denied.