

FILED _____

AT _____ O'clock ____ M
CLERK, DISTRICT COURT

Deputy

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
STATE OF IDAHO IN AND FOR THE COUNTY OF KOOTENAI**

STATE OF IDAHO,)
)
) *Plaintiff,*)
)
 vs.)
)
 ERIC KURTS LARSON,)
)
)
)
) *Defendant.*)
)

Case No. **CRF 2010 21861**

**MEMORANDUM DECISION AND
ORDER DENYING DEFENDANT'S
MOTION TO SUPPRESS**

Defendant ERIC KURTS LARSON's Motion to Suppress
Arthur Verharen, Deputy Prosecuting Attorney, lawyer for the Plaintiff.
Dennis Reuter, Coeur d'Alene, lawyer for Defendant Larson.

I. FACTUAL BACKGROUND.

On October 31, 2010, Officer J. Reneau (Officer Reneau) of the Coeur d'Alene Police Department responded to a report of a physical domestic dispute at 1018 North First Street in Coeur d'Alene, Idaho. Reneau's Police Report, p. 1. The reporting party, defendant Eric Kurts Larson (Larson), indicated he had been hit in the face by a female. *Id.* Larson reported to Officer Reneau that he and Breanna Bunton (Bunton) had been at Silverwood Amusement Park and the Shore Lounge before getting into an argument about "couples' stuff". *Id.*, pp. 1-2. According to Officer Reneau's report, "Eric was very vague about the details." *Id.*, p. 2. Officer Reneau observed Larson to be intoxicated; his

movement was slow and lethargic, he had bloodshot, watery eyes, and Reneau could smell alcohol on his breath. *Id.*, p. 1. Larson told officer Reneau that he (Larson) and Bunton had walked home from the bar at approximately 12:30 a.m. *Id.*, p. 2. Then, Officer Reneau overheard Larson tell Officer Greg Moore a different story...that he (Larson) had driven home from the bar. *Id.* Larson told Officer Reneau that Bunton had hit him in the face several times “and took off.” *Id.* Larson told Officer Reneau that he had no physical contact with Bunton and had merely walked backwards after she hit him. *Id.*

Meanwhile, Officer Moore was in contact with Bunton, who was returning to the residence to speak with Officer Reneau. *Id.* Officer Reneau contacted Bunton in the back of Officer Moore’s vehicle and observed she had been crying, had a black eye, a laceration under her eye and a bloody nose. *Id.*, p. 2. Bunton stated she and Larson had been in a physical fight *inside* Larson’s vehicle and in the yard; she said Larson agreed to drive her to the Shore Lounge to pick up her vehicle, but instead pulled into an alley behind his home, climbed into the backseat and repeatedly hit Bunton. *Id.*, pp. 2-3. Bunton told officers she was able to get away from him, but was again attacked after she ran in front of the residence. *Id.*, p. 3. Officer Reneau’s report states: “Breanna said Eric bounced her head off one of the landscape bricks in the front yard.” *Id.*

Officer Moore then spoke with Larson and inquired what had happened in the car. Larson indicated he had simply driven it into the garage earlier. *Id.* When asked about Bunton’s purse, Larson agreed to retrieve it from the vehicle, “but quickly said he didn’t want Officer Moore to get it.” *Id.* Officer Moore writes the following in his police report:

I spoke with Erik [sic] [defendant] about where Breanna’s purse may be. He admitted it may be in his vehicle in the garage. I asked him if I could get it for her and he told me no. He told me if he could accompany us, he would get the purse from his vehicle. We walked into the backyard and into the garage following Erik [sic]. He opened the drivers [sic] door and obtained the purse from the front seat. He handed it to me and I was able to confirm there were

keys in the purse. While inside the garage I could see what appeared to be angel wings on the back floor board pushed up under the drivers [sic] seat. I could also see bits of the wing material were all over the back seat and it appeared there may have been a struggle in the backseat, I advised Erik [sic] I was going to take photos of the interior of the vehicle and recover the remaining property belonging to Breanna. I obtained the wings and her drivers [sic] license which was shoved under the front drivers [sic] seat on the back side. I took photos of the back seat of the vehicle including a few spots of blood on the back passenger seat which I located while looking for Breanna's personal belongings.

Moore's Police Report, p. 2.

Larson filed his motion to suppress on December 23, 2010, arguing the taking of photos "exceeded the scope of the consent" given by Larson. Motion to Suppress, p. 2. Magistrate Judge Clark Peterson's Order Holding is dated November 12, 2010; thus, Larson's motion to suppress is timely. On January 11, 2011, the State filed its Brief in Opposition to Defendant's Motion to Suppress. The State argues the "vehicle exception" to the Fourth Amendment. Oral argument on Larson's motion to suppress was held on January 20, 2011. Officer Greg Moore testified at the January 20, 2011, hearing. Officer Moore was the only witness to testify. Thus, Officer Moore's testimony is uncontradicted and the Court finds his testimony to be credible. Officer Moore testified consistent with his police report.

Officer Moore testified that he was dispatched about 3:50 a.m. to a call regarding a domestic dispute at 1018 N. 1st, Coeur d'Alene, Idaho, that he was advised en route that a female had left the residence on foot. Officer Moore then had another officer respond to that address while Officer Moore went to look for the female. Officer Moore found a female in between two bread delivery trucks at Frantz bakery, at Government Way and Harrison Avenue in Coeur d'Alene, not far from the residence to which Officer Moore was dispatched. The female was barefoot, wearing a black dress and had a bloody face. The female identified herself verbally to Officer Moore as Breanna Bunton, and said her

boyfriend Eric Larson had beat her up. Officer Moore testified she told him they were at the Shore Lounge and Larson left the Shore Lounge, came back to pick her up, drove her to a friend's house, then drove her to his house at 1018 North First Street where he beat her in the back seat of his car and locked the doors so she couldn't get out. Later, she jumped into the front seat, unlocked the front door of the car and ran away. Officer Moore offered to take her to the hospital, but she declined because she had no purse and no identification because they were in the back of Larson's car. Officer Moore then transported her to Larson's house. There, he encountered Larson on the front porch of his house, and Larson told Officer Moore that Bunton's property was probably still in his car, which was in his garage, out back. Officer Moore asked Larson if they could retrieve that property from his car and he said "No". Officer Moore then testified that without asking another question of Larson, Larson offered that he would go back and get her property. Officer Moore made it clear they were not going to let Larson out of their sight, and then Larson, again without another question or request put to him, "Agreed we could come with him but he was going to get it [the purse] from the car." The officers and Larson went around Larson's house, into his backyard and Larson opened the man-door of the garage. Larson went to the driver's side door, Officer Moore was standing to the right of Larson and could see in the back door driver's side window of the car. Officer Reneau was located to Larson's left. Officer Moore testified as he looked through the window of the back driver's side door, he could see mangled angel wings on the floor in front of the back seat which were partially shoved under the front seat (Bunton had described to Officer Moore she was wearing these wings at the time of the battery), and what appeared to be bits of material from those wings all over the back seat. Larson leaned through the driver's door window and got Bunton's purse and gave it to Officer Moore. Officer Moore asked Larson if there was any other

property of Bunton's in the car, to which Larson responded "No." Officer Moore then told Larson he was going to photograph and retrieve the items he could see in the back of the car. Officer Moore took photographs of the location of the wings, the fabric pieces, and blood spots on the seat back. Then Officer Moore removed the angel wings and found Bunton's identification under the angel wings. A short time later, Officer Moore arrested Larson while they were in the front yard of Larson's house.

This matter is currently set for a Pre-Trial Conference on March 1, 2011 and a three-day jury trial commencing on March 9, 2011.

II. STANDARD OF REVIEW.

The standard of review of a suppression motion is bifurcated; the Court of Appeals accepts a trial court's findings of fact supported by substantial evidence and freely reviews the court's application of constitutional principles applied to the facts found. *State v. Atkinson*, 128 Idaho 559, 561, 916 P.2d 1284, 1286 (Ct.App. 1996); *State v. Cruz*, 144 Idaho 906, 908, 174 P.3d 876, 878 (Ct. App. 2007); *State v. Whiteley*, 124 Idaho 261, 264, 858 P.2d 800, 803 (Ct. App. 1993). When evaluating the trial court's determination of voluntariness of consent given, reviewing courts will not disturb such a decision on appeal if the trial court's finding is based on reasonable inferences to be drawn from the record. *State v. Post*, 98 Idaho 834, 837, 573 P.2d 153, 156 (1978). At a suppression hearing, the trial court has the power to assess the credibility of witnesses, resolve factual conflicts, and draw factual inferences. *State v. Valdez-Molina*, 127 Idaho 102, 106, 897 P.2d 993, 997 (1995); *State v. Schevers*, 132 Idaho 786, 789, 979 P.2d 659, 662 (Ct.App. 1999). Whether consent to a search was voluntary is a question of fact and reviewing courts accept the factual findings of a trial court unless they are clearly erroneous. *State v. McCall*, 135 Idaho 885, 886, 26 P.3d 1222, 1223 (2001). Findings are not deemed clearly

erroneous when supported by substantial evidence in the record. *State v. Benson*, 133 Idaho 152, 155, 983 P.2d 225, 228 (Ct.App. 1999).

III. ANALYSIS.

Evidence that is obtained in violation of constitutional protections must be suppressed in criminal prosecutions of the person whose rights were violated. *State v. Curl*, 125 Idaho 224, 227, 869 P.2d 224, 227 (1993). Although warrantless searches are *per se* unreasonable and unconstitutional, specifically enumerated exceptions to the rule exist. *State v. Harwood*, 94 Idaho 615, 617, 495 P.2d 160, 162 (1972). *State v. Bottelson*, 102 Idaho 90, 92, 625 P.2d 1093, 1095 (1981); *State v. Ellis*, 99 Idaho 606, 608, 586 P.2d 1050, 1052 (1978). A common exception to the warrant rule is a search conducted pursuant to properly given consent. *Harwood*, 94 Idaho 615, 618, 495 P.2d 160, 163. The standard for determining the scope of a suspect's consent under the Fourth Amendment is that of objective reasonableness. *Florida v. Jimeno*, 500 U.S. 248, 251, 111 S.Ct. 1801, 1803-1804 (1991). The question is what a typical reasonable person would have understood by the exchange between the suspect and the officer. *Id.*; *State v. Thorpe*, 141 Idaho 151, 154, 106 P.3d 447, 480 (Ct.App. 2004) (*citing Jimeno*, 500 U.S. at 251). The scope of a search is generally defined by its expressed object. *Jimeno*, 500 U.S. at 251; *U.S. v. Ross*, 465 U.S. 798, 102 S.Ct. 2157 (1982).

In considering what a reasonable person would have understood Larson's consent to be, the Court must consider Larson's verbal exchange with Officer Moore. *See Jimeno*, 500 U.S. 248, 251, 111 S.Ct. 1801, 1803-04. The officers' police reports and Officer Moore's testimony show Larson did not give either officer consent for the officer alone to retrieve Bunton's belongings from the vehicle parked inside his garage. Instead, Officer Moore's report and his testimony show Larson came up with the idea that Larson would

retrieve the purse from the vehicle while the officers accompanied him.

Larson argues “mere submission to claimed authority does not constitute voluntary consent.” Motion to Suppress, p. 2 quoting *State v. Post*, 98 Idaho 834, 837, 573 P.2d 153, 156 (1978). Larson’s very brief argument is that the permission given was at most for the officers to accompany Larson to the garage while Larson retrieved Bunton’s purse from the vehicle, and that Larson gave no consent to search and/or photograph the interior of the vehicle. Motion to Suppress, p. 2. Essentially, Larson in his brief admits consent for the officers to be present with him as he retrieved the purse, but then curtail consent for the officers to look inside the vehicle as Larson reached in and grabbed Bunton’s purse. While essentially conceding his consent for the officers to be present at the vehicle, Larson’s argument ignores the plain view doctrine.

Rather than argue the consent and plain view doctrine, the State argues the “vehicle exception” to the warrant rule is applicable. The problem with the vehicle exception argument is Larson’s vehicle was parked in Larson’s garage and the doors were closed. The State makes this argument even though the State noted the following quote from *State v. Ramirez*, 121 Idaho 319, 323, 824 P.2d. 894, 898 (Ct.App. 1991), delineating the two bases under which the “vehicle exception” may be satisfied:

When a vehicle is [1] being used on the highways, or [2] if it is readily capable of such use *and is found stationary in a place not regularly used for residential purposes*—temporary or otherwise—the two justifications for the vehicle exception come into play. *Id*, quoting *California v. Carney*, 471 U.S. 386, 392-93 (1985).

Brief in Opposition to Defendant’s Motion to Suppress, p. 2. (bracketed portion added)

However, the State misapprehends the issue at hand as far as the applicability of the vehicle exception to the facts of this case. The police report shows Larson told Officer Moore that Larson had driven his car into the garage earlier. Police Report, p. 2. Thus, by

definition, neither of the two factual situations enumerated in *Ramirez* apply. Larson's car was not "being used on the highways", nor was it readily capable of such use "and is found stationary in a place not regularly used for residential purposes." Larson's car was found in his garage, a place regularly used for residential purposes, and the doors were closed.

At oral argument counsel for the State argued that the second exception from *California v. Carney*, 471 U.S. 386, 105 S.Ct. 2066 (1985), where the vehicle is "found stationary in a place not regularly used for residential purposes", applies to motor homes and trailers. That is simply not what a reading of *Carney* provides. Granted, a vehicle that is also a residence might provide added exigent circumstances and might have additional Fourth Amendment concerns, but the second type of vehicle exception in *Carney* does not pertain to vehicles used as a residence. This is made clear from the United State Supreme Court's further explanation of the above quote in *Carney*:

When a vehicle is being used on the highways, or if it is readily capable of such use and is found stationary in a place not regularly used for residential purposes-temporary or otherwise-the two justifications for the vehicle exception come into play. First, the vehicle is obviously readily mobile by the turn of an ignition key, if not actually moving. Second, there is a reduced expectation of privacy stemming from its use as a licensed motor vehicle subject to a range of police regulation inapplicable to a fixed dwelling. At least in these circumstances, the overriding societal interests in effective law enforcement justify an immediate search before the vehicle and its occupants become unavailable.

471 U.S. 386, 392-93, 105 S.Ct. 2066, 2070. It is the mobility of the vehicle that is at issue. It has nothing to do with whether the vehicle is also any kind of residence.

This Court finds that the "vehicle exception" enunciated in *Carney* does not apply to the facts of this case because Larson's car was parked in a detached garage, accessed by an alley, all the doors of which were closed when Officer Moore arrived at Larson's home. Larson's vehicle was found in a place regularly used for residential purposes.

Since the vehicle exception is not applicable here, before the officers observed any

purported evidence of a crime in Larson's vehicle, they had to have lawfully been in a place to observe it. Thus, back to the question as to whether the officers were lawfully present when Officer Moore observed evidence of the crime described by Bunton to Officer Moore earlier that evening (early morning). As mentioned above, there is no dispute over the fact that Larson did not consent to the officers alone retrieving Bunton's purse from his vehicle. However, the question for this Court is whether Larson consented to the presence of the officers accompanying Larson as he went into his garage. Recall that Officer Moore's report reads:

I spoke with Erik [sic] [defendant] about where Breanna's purse may be. He admitted it may be in his vehicle in the garage. I asked him if I could get it for her and he told me no. *He told me if he could accompany us, he would get the purse from his vehicle. We walked into the backyard and into the garage following Erik [sic]. He opened the drivers [sic] door and obtained the purse from the front seat. He handed it to me and I was able to confirm there were keys in the purse.*

Moore's Police Report, p. 2. (italics added). The italicized portion shows Larson's statement that "if he could accompany us (the officers), he would get the purse from the vehicle", was an unsolicited statement by Larson after he had told the officers they could not go get the purse from the vehicle themselves. It is a statement by Larson when no question was posed to him. This was essentially the testimony of Officer Moore at the hearing on the motion to suppress.

Officer Moore testified while they were on Larson's front step of his house, Officer Moore asked Larson if they could retrieve Bunton's property from his car and he said "No". Officer Moore testified Larson, unsolicited, offered that he would go back and get her property. Officer Moore made it clear they were not going to let Larson out of their sight, and then Larson, again without another question or request put to him, "Agreed we could come with him but he was going to get it [the purse] from the car." Officer Moore testified

the officers and Larson went together around Larson's house, into his backyard and that Larson opened the man-door of the garage and they all went inside. At no point did Larson object to the officers being present. Larson went to the driver's side door, Officer Moore was standing to the right of Larson and could see in the back door driver's side window of the car. Inside the car Officer Moore saw evidence of the crime he was there to investigate, Larson's battery of Bunton in the back seat of Larson's car.

The Court finds the evidence shows Larson consented to the presence of the officers in the garage while Larson obtained Bunton's purse from the vehicle.

The question of consent is relevant only in light of the plain view doctrine, which the Court finds applicable to the facts presented here. For the plain view doctrine to operate, two criteria must be met: (1) There must be a lawful intrusion (pursuant to a warrant, exigency, or other warrant exception) or the officer must properly be in a position to view a particular area; and (2) it must be immediately apparent that the items viewed are contraband or evidence of a crime. *Horton v. California*, 496 U.S. 128, 135-36, 110 S.Ct. 2301, 2305 (1990); *State v. Hagedorn*, 129 Idaho 155, 159, 922 P.2d 1081, 1085 (Ct.App. 1996). Said another way, the plain view doctrine allows for seizure of material if: (1) The officer is lawfully present; (2) the item is not named in a warrant or is outside the scope of consent, but is in the plain view of the officer; and (3) the incriminating nature of the object is immediately apparent or the State can show probable cause to believe the item is linked to criminal activity. *United States v. Raney*, 342 F.3d 551, 559 (7th Cir. 2003). Applicability of the plain view doctrine turns, then, on whether Officer Moore was lawfully in the garage and whether the frayed wings were immediately recognized as incriminating.

The Court finds that due to Larson's consent, Officer Moore was lawfully in the garage. Officer Moore reported: "He [Larson] told me if he could accompany us, he would

get the purse from his vehicle.” Moore’s Police Report, p. 2. This Court determines Larson, without a question being posed to him, consented to having the officers accompany Larson as Larson retrieved Bunton’s purse, even though he had just previously refused to give his consent to the officers retrieving the purse alone. Neither officer deceived Larson. It was Larson’s idea to retrieve the purse with the officers accompanying him. At no time did Larson object to the officers’ presence in his garage as he retrieved the purse. Officer Moore was lawfully present in Larson’s garage. The items in the back seat of Larson’s vehicle were immediately recognizable as criminally incriminating (angel wings pushed up under the driver’s seat, bits of the angel wing material all over the back seat and a few spots of blood on the back passenger seat, Moore’s Report, p. 2) regarding a battery upon Bunton in the back seat of Larson’s car. The State has shown probable cause to believe the items were linked to criminal activity and in plain view in the back of Larson’s car.

At oral argument, counsel for Larson argued that if the Court finds there was consent given to be in the garage and if Officer Moore saw what he saw in the back seat in plain view, then Officer Moore had only probable cause to “search” the vehicle, but not “seize” the evidence. No authority was given for such proposition at oral argument. The Court has reviewed the United States Supreme Court decision *Arizona v. Hicks*, 107 S.Ct. 1149, 480 U.S. 321, 94 L.Ed.2d 347 (1987), and the following quote answers that argument by Larson:

The same considerations preclude us from holding that, even though probable cause would have been necessary for a *seizure*, the *search* of objects in plain view that occurred here could be sustained on lesser grounds. A dwelling-place search, no less than a dwelling-place seizure, requires probable cause, and there is no reason in theory or practicality why application of the “plain view” doctrine would supplant that requirement. Although the interest protected by the Fourth Amendment injunction against unreasonable searches is quite different from that protected by its injunction against unreasonable seizures, see *Texas v. Brown*, *supra*, 460 U.S., at 747-748, 103 S.Ct., at 1546 (STEVENS, J.,

concurring in judgment), neither the one nor the other is of inferior worth or necessarily requires only lesser protection. We have not elsewhere drawn a categorical distinction between the two insofar as concerns the degree of justification needed to establish the reasonableness of police action, and we see no reason for a distinction in the particular circumstances before us here. Indeed, to treat searches more liberally would especially erode the plurality's warning in *Coolidge* that "the 'plain view' doctrine may not be used to extend a general exploratory search from one object to another until something incriminating at last emerges." 403 U.S., at 466, 91 S.Ct. at 2038. In short, whether legal authority to move the equipment could be found only as an inevitable concomitant of the authority to seize it, or also as a consequence of some independent power to search certain objects in plain view, probable cause to believe the equipment was stolen was required.

107 S.Ct. 1149, 1154, 480 U.S. 321, 327-28. When Officer Moore arrived at Larson's house, Officer Moore had probable cause to believe there was a crime, a battery by Larson of Bunton in the back seat of Larson's car. Officer Moore had Larson's consent to be where Officer Moore was (in Larson's garage) when Officer Moore saw evidence of that crime in the back seat area of Larson's car, in plain view. Officer Moore had probable cause to search the car at that time, and, contrary to Larson's argument at the hearing, Officer Moore had probable cause to seize evidence seen in plain view and seen during the search.

A review of the concurring opinion of Justice Stevens in the United States Supreme Court decision *Texas v. Brown*, 103 S.Ct. 1535, 460 U.S. 730, 75 L.Ed.2d 502 (1983) is helpful to understand this point:

Although our Fourth Amendment cases sometimes refer indiscriminately to searches and seizures, there are important differences between the two that are relevant to the plain view doctrine. The Amendment protects two different interests of the citizen—the interest in retaining possession of property and the interest in maintaining personal privacy. A seizure threatens the former, a search the latter. As a matter of timing, a seizure is usually preceded by a search, but when a container is involved the converse is often true. Significantly, the two protected interests are not always present to the same extent; for example, the seizure of a locked suitcase does not necessarily compromise the secrecy

of its contents, and the search of a stopped vehicle does not necessarily deprive its owner of possession.

An object may be considered to be “in plain view” if it can be seized without compromising any interest in privacy. Since seizure of such an object threatens only the interest in possession, circumstances diminishing that interest may justify exceptions to the Fourth Amendment's usual requirements. Thus, if an item has been abandoned, neither Fourth Amendment interest is implicated, and neither probable cause nor a warrant is necessary to justify seizure. See *e.g.*, *Abel v. United States*, 362 U.S. 217, 241, 80 S.Ct. 683, 698, 4 L.Ed.2d 668 (1960); cf. *United States v. Lisk*, 522 F.2d 228, 230 (7th Cir.1975). And if an officer has probable cause to believe that a publicly situated item is associated with criminal activity, the interest in possession is outweighed by the risk that such an item might disappear or be put to its intended use before a warrant could be obtained. The officer may therefore seize it without a warrant. See *G.M. Leasing Corp. v. United States*, 429 U.S. 338, 354, 97 S.Ct. 619, 629, 50 L.Ed.2d 530 (1975); *Payton v. New York*, 445 U.S. 573, 587, 100 S.Ct. 1371, 1380, 63 L.Ed.2d 639 (1980). The “plain view” exception to the warrant requirement is easy to understand and to apply in cases in which no search is made and no intrusion on privacy occurs.

The Court's more difficult plain view cases, however, have regularly arisen in two contexts that link the seizure with a prior or subsequent search. The first is the situation in which an officer who is executing a valid search for one item seizes a different item. The Court has been sensitive to the danger inherent in such a situation that officers will enlarge a specific authorization, furnished by a warrant or an exigency, into the equivalent of a general warrant to rummage and seize at will. That danger is averted by strict attention to two of the core requirements of plain view: seizing the item must entail no significant additional invasion of privacy, and at the time of seizure the officer must have probable cause to connect the item with criminal behavior. See *United States v. Lefkowitz*, 285 U.S. 452, 465, 52 S.Ct. 420, 423, 76 L.Ed. 877 (1932); cf. *Coolidge v. New Hampshire*, 403 U.S. 443, 465-466, 91 S.Ct. 2022, 2037-2038, 29 L.Ed.2d 564 (1971).

103 S.Ct. 1535, 1546-47, 460 U.S. 730, 747-49.

IV. CONCLUSION AND ORDER.

For the reasons stated above, due to Larson's consent, the officer was lawfully in the garage and lawfully saw the items and blood in the backseat of the car in plain view of the officer's location, and the officer immediately recognized the items in the backseat as criminally incriminating. Thus, Larson's Motion to Suppress must be denied.

IT IS HERBY ORDERED that ERIC KURTS LARSON's Motion to Suppress is

DENIED.

DATED this 21st day of January, 2011.

JOHN T. MITCHELL District Judge

CERTIFICATE OF MAILING

I hereby certify that on the _____ day of January, 2011 copies of the foregoing Order were mailed, postage prepaid, or sent by facsimile or interoffice mail to:

Defense Attorney - Dennis Reuter
Prosecuting Attorney – Arthur Verharen

**CLERK OF THE DISTRICT COURT
KOOTENAI COUNTY**

BY: _____
Deputy