

Plain-View Pixels: Eighth Circuit's Blueprint on Consent, Plain View, and Miranda at the Roadside in *United States v. Puckett*

Description

The United States Court of Appeals for the Eighth Circuit recently rendered an opinion in *United States v. Puckett*, a case that analyzes Fourth Amendment protections in the context of prolonged traffic stops and the search of a car, which included seeing applications on an unlocked phone screen. The Court's opinion highlights how courts assess consent searches, application of the plain view doctrine, and considered, whether traffic stops amount to a custodial interrogation, requiring *Miranda*.

Fact Summary

In August 2020, Billy Puckett was stopped by a Missouri State Trooper for an "improperly displayed...disabled placard...and... for not wearing a seatbelt." After explaining why he stopped Puckett, Trooper Rorie asked about his criminal history and discovered Puckett was a registered sex offender. Puckett was asked to sit in the patrol car while the Trooper ran his license and registration. After running a background check as well, the results indicated that Puckett had no social media accounts registered with law enforcement. Trooper Rorie knew that under Missouri sex offender registration laws, sex offenders must report all social media accounts to law enforcement. Trooper Rorie then obtained consent to search Puckett's vehicle. While searching, he found Puckett's cell phone on the driver's seat. When he picked up the phone, its screen automatically illuminated on its own, revealing icons for Facebook and Snapchat in plain view. Since Puckett had not reported any social media accounts, suspicion of a violation of his sex offender registration terms arose. Trooper Rorie then received Puckett's consent to search the phone and found evidence of child pornography. Subsequently, Puckett was arrested and charged with receiving child pornography. When the case reached the district court, Puckett moved to suppress the evidence, arguing that the traffic stop was unlawfully extended, the officer's handling and viewing of the phone violated his Fourth Amendment rights, his consent to search the phone was involuntary, and his statements to the officer were obtained in violation of *Miranda*. The court was unpersuaded and denied the motion. Ultimately, Puckett was convicted of receiving child pornography and violating sex offender registration laws, then sentenced to 17 and ½ years in prison. Puckett appealed to the Eighth Circuit, arguing that his Fourth Amendment rights were violated.

United States Court of Appeals for the Eighth Circuit

The Eighth Circuit upheld the district court's decision to deny Puckett's motion to suppress evidence and statements. The court first addressed Puckett's argument that the brief request for consent to search the vehicle unlawfully prolonged the traffic stop. In 2015, the Supreme Court of the United States established the importance of the permissible scope and duration of traffic stops in *Rodriguez v. United States*. Under *Rodriguez*, a traffic stop cannot be extended beyond the time necessary to address the original reason for the stop unless independent reasonable suspicion exists or the individual consents to further investigation to protect against unlawful prolongation of detentions. Here, the Eighth Circuit concluded the stop was still ongoing for its original purpose when the consent was requested. Therefore, no Fourth Amendment violation occurred. Puckett's argument that the vehicle

and phone searches were unlawful was then addressed. The court held that handling Puckett's cell phone during the vehicle search was not an unlawful seizure or search. The trooper was allowed to move objects in the car under the general consent to search the vehicle. When the screen automatically illuminated, any information was lawfully visible in plain view. The court also found no meaningful interference with Puckett's possessory interests in the phone. Thus, there was no unlawful seizure. The court then considered the claim that the search of the phone was involuntary, considering factors like Puckett's age, experience, the brief and non-coercive nature of the encounter, and the absence of threats or intimidation. Under the totality of the circumstances, the court determined that Puckett's consent was not the result of coercion or pressure, and the search was therefore voluntary. Finally, the court analyzed Pickett's *Miranda* and custodial interrogation claim. If Puckett was "in custody" during questioning, it would have been required to give Puckett Miranda warnings to protect his Fifth Amendment rights. However, the court found that Puckett was not in custody during the roadside questioning. Since the circumstances of the stop did not amount to a custodial situation requiring Miranda warnings before questioning, the court ruled his statements were admissible. Therefore, the court affirmed Puckett's conviction, holding that there were no constitutional violations in the search, seizure, or interrogation process.

United States v. Puckett, No. 24-1293 (8th Cir. 2024)

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