

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No. 2023-KK-01632

VS.

MYRON T. BLAND

-----  
IN RE: Myron T. Bland - Applicant Defendant; Applying For Supervisory Writ,  
Parish of Jefferson, Jefferson Parish Second City Court Number(s) S1158144, Court  
of Appeal, Fifth Circuit, Number(s) 23-K-495;  
-----

April 03, 2024

Writ application granted. See per curiam.

JB  
M  
  
JD  
H  
  
SJ  
C  
  
JT  
G  
  
WJ  
C  
  
PD  
G

Weimer, C.J., would grant and docket.

Supreme Court of Louisiana  
April 03, 2024

Katie Marjanovic  
Chief Deputy Clerk of Court  
For the Court

**SUPREME COURT OF LOUISIANA**

**No. 2023-KK-01632**

**STATE OF LOUISIANA**

**VS.**

**MYRON T. BLAND**

On Supervisory Writ to the Jefferson Parish Second City Court, Parish of Jefferson

**PER CURIAM:**

Writ granted. The Fourth Amendment to the United States Constitution and art. 1, § 5 of the Louisiana Constitution protect people against unreasonable searches and seizures. In *Terry v. Ohio*, 392 U.S. 1, 88 S.Ct. 1868, 20 L.Ed.2d 889 (1968), the United States Supreme Court recognized the investigatory stop as an exception to the warrant requirement. The *Terry* standard is codified in La. C.Cr.P. art. 215.1, which authorizes a law enforcement officer to stop and question a person in a public place whom he reasonably suspects is committing, has committed, or is about to commit an offense and demand of him his name, address, and an explanation of his actions. See La.C.Cr.P. art. 215.1; see also *State v. Belton*, 441 So.2d 1195 (La. 1983), *cert. denied*, *Belton v. State*, 466 U.S. 953, 104 S.Ct. 2158, 80 L.Ed.2d 543 (1984). In making a brief investigatory stop on less than probable cause to arrest, the police “must have a particularized and objective basis for suspecting the particular person stopped of criminal activity.” *State v. Huntley*, 97–0965, p. 2–3 (La.3/13/98), 708 So.2d 1048, 1049, citing *State v. Kalie*, 96–2650, p. 3 (La.9/19/97), 699 So.2d 879, 881 and *United States v. Cortez*, 449 U.S. 411, 417, 101 S.Ct. 690, 695, 66 L.Ed.2d 621 (1981). Based on our review of the testimony from the motion to suppress hearing, the arresting officer did not articulate any facts to support a reasonable suspicion that the relator had committed, was committing or

was about to commit a crime to justify an investigatory stop. Therefore, we vacate the judgments of the lower courts, grant relator's motion to suppress, and remand for further proceedings.

**REVERSED AND REMANDED**