

IN THE IOWA DISTRICT COURT FOR CEDAR COUNTY

STATE OF IOWA,)
)
 Plaintiff,)
)
 vs.)
)
 PAUL BRUCE COUGHLIN,)
)
 Defendant.)

No. FECR017152
 RULING ON MOTION
 TO SUPPRESS

CLERK OF DISTRICT COURT
 CEDAR COUNTY, IOWA
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 MAY 11 2006
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On November 1, 2002, the defendant's Motion To Suppress filed on August 8, 2002, came on for evidentiary hearing. The defendant, ("Coughlin"), was represented by Attorney Leon Spies. The State filed a Resistance To Motion To Suppress on August 15, 2002, and Additional Authority In Support Of Resistance To Motion To Suppress on October 31, 2002. Coughlin filed a Memorandum In Support of his Motion To Suppress Evidence on November 1, 2002, to which the State filed Additional Points And Authorities on November 5, 2002. The State was represented by Assistant County Attorney Sterling Benz.

The motion grows out of a stop of Coughlin's vehicle on Interstate 80 in Cedar County, Iowa, on June 27, 2002, for speeding. When Trooper Stammeyer of the Iowa State Patrol, who stopped Coughlin's car, leaned inside the vehicle to discuss the speeding infraction with Coughlin, he smelled fresh, not burnt, cannabis. Fresh cannabis has a very distinct odor, and Stammeyer was certain the smell