

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No. 2025-KK-00816

VS.

JAMES A. CHARLES

IN RE: State of Louisiana - Applicant Plaintiff; Applying For Writ Of Certiorari,
Parish of St. Landry, 27th Judicial District Court Number(s) 23-00668, Court of
Appeal, Third Circuit, Number(s) KW 25-00201;

November 19, 2025

Writ application granted. See per curiam.

WJC
JLW
JBM
CRC

Weimer, C.J., additionally concurs and assigns reasons.
Hughes, J., dissents and would grant and docket.
Griffin, J., dissents.
Guidry, J., dissents and assigns reasons.

Supreme Court of Louisiana
November 19, 2025

Katie Marjanovic
Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

No. 2025-KK-00816

STATE OF LOUISIANA

VS.

JAMES A. CHARLES

On Writ of Certiorari to the Court of Appeal, Third Circuit, Parish of St. Landry

PER CURIAM

Writ granted. The court of appeal erred in reversing the trial court's judgment denying defendant's motion to suppress. Finding the subject vehicle was not in the curtilage of defendant's home, we hold the seizure and search of the vehicle were reasonable and reinstate the trial court's ruling.

Responding to a reported shooting, Opelousas police officers spoke with an eye witness who identified the shooter as James Charles. The witness confirmed Charles was driving a silver car and lived in a mobile home in a trailer park on Montgomery Lane. The shooting victim likewise confirmed the shooter was a man driving a silver car.

Officers went to the trailer park and found the described mobile home with a silver car parked next to it. A license plate check confirmed the car was registered to "Wilbert James Charles." The car, which had visible bullet holes and a flat tire, was parked between the trailer and a gravel access road into the trailer park. The area was not enclosed, had no fencing or signs, and additional vehicles were parked nearby. Other trailers were in close proximity, and nothing visibly designated parking areas for each trailer.

Officers knocked on the front door and got no response but heard movement inside the home. An officer then walked over to the silver car, wiped dew off the

window, and, cupping her hands to the window, looked in the car and saw empty shell casings on the seat. She did not open the car's doors, and it was not searched at the scene. Instead, the vehicle was towed to a police lot where it was later searched after a warrant was issued. The officer testified it was not safe to search the vehicle at the scene because they were investigating a domestic shooting, people were inside the trailer, and the driver of the vehicle may have still been armed and dangerous. After the vehicle was searched pursuant to a warrant, the empty shell casings were collected as evidence. Defendant was eventually arrested and charged with attempted first degree murder, aggravated assault, and felon in possession of a firearm.

Defendant filed a motion to suppress the empty shell casings, arguing the vehicle was searched and seized without a warrant. Defendant maintains an unlawful search occurred when the officer looked in the vehicle's window, after wiping dew off the glass, while the vehicle was parked within the curtilage of the house. A warrantless seizure likewise occurred when the vehicle was towed. Defendant relied on jurisprudence holding that a vehicle within the curtilage of a home does not fall within the general automobile exception to the warrant requirement. *See Collins v. Virginia*, 584 U.S. 586, 601; 138 S.Ct. 1663, 1675; 201 L.Ed.2d 9 (2018). The state countered that the vehicle was not parked in the home's curtilage but was in a communal, unmarked, and unenclosed parking area.

The trial court denied the motion to suppress, but the court of appeal reversed, finding "the search was conducted within the curtilage of the home." *See State v. James*, KW 25-00201 (La. App. 3 Cir. 4/17/25) (unpublished writ action). We disagree.

The curtilage of a home is that "area to which extends the intimate activity associated with the sanctity of a man's home and the privacies of life." *United States v. Dunn*, 480 U.S. 294, 107 S.Ct. 1134, 94 L.Ed.2d 326 (1987). The area must be

“so intimately tied to the home itself that it should be placed under the home’s umbrella of Fourth Amendment protection.” *Dunn*, 480 U.S. at 301; 107 S.Ct. at 1134. Four considerations are useful in making this determination: the proximity of the area to the home, whether the area is included within an enclosure surrounding the home, the nature of the uses to which the area is put, and the steps taken by the resident to protect the area from observation by people passing by. *Id.*

The court of appeal based its curtilage determination entirely on the proximity of the car to the trailer. The remaining *Dunn* factors all indicate the car was not inside the home’s curtilage. The car was not parked in an enclosure surrounding the home, no steps were taken to protect the area from view, and it was not visibly identified for, or otherwise restricted to, parking exclusively for defendant’s residence. Based on the evidence, the area was not “so intimately tied to the home itself that it should be placed under the home’s umbrella of Fourth Amendment protection.” *See Dunn*, 480 U.S. at 301; 107 S.Ct. at 1134; *see also State v. Brown*, 395 So. 2d 1301, 1310 (La. 1981) (no reasonable expectation of privacy in driveway area of a residence where no evidence established property was fenced or driveway had a gate); *State v. Washington*, 591 So.2d 1388, 1390 (La. App. 4 Cir. 1991) (no reasonable expectation of privacy in apartment complex common area easily accessible by the general public).

The court of appeal relied on *Collins*, which is factually distinguishable. There, a motorbike was covered by a tarp and parked at the top of a driveway in a partially enclosed area behind and abutting the front of the house. *See Collins*, 584 U.S. at 593; 138 S.Ct. at 1670-71. Here, the area was not enclosed or marked in any manner and the car was not under a tarp.

The officers had probable cause to search and seize the car given the information they knew at the time. Because the car was not in the home’s curtilage, a warrant was not required to search and seize the vehicle under several exceptions

to the warrant requirement.¹ The trial court did not abuse its discretion in denying the motion to suppress.

COURT OF APPEAL JUDGMENT REVERSED; TRIAL COURT JUDGMENT REINSTATED.

¹ See *Maryland v. Dyson*, 527 U.S. 465, 466; 119 S.Ct. 2013, 2014; 144 L.Ed.2d 442 (1999) (automobile exception); *Chambers v. Maroney*, 399 U.S. 42; 90 S.Ct. 1975, 1981; 26 L.Ed.2d 419 (1970) (automobile exception); *Horton v. California*, 496 U.S. 128, 130; 110 S.Ct. 2301, 2304; 110 L.Ed.2d 112 (1990) (plain view); *State v. Hilton*, 16-0325 (La. 3/24/16), 187 So. 3d 981, 982 (plain view); *Roaden v. Kentucky*, 413 U.S. 496, 93 S.Ct. 2796, 37 L.Ed.2d 757 (1973) (exigent circumstances); *State v. Brisban*, 00-3437 (La. 2/26/02), 809 So.2d 923, 927 (exigent circumstances). Although the officer had to wipe dew from the car's window to see inside, this action is analogous to shining a flashlight into an automobile at night. See *State v. Edsall*, 385 So. 2d 207, 210 (La. 1980) (Officer was entitled as a precaution for his own safety to generally survey vehicle, although he had to step on the side of the truck to shine his flashlight into its cab.)