

**OPINION SUMMARY**  
**MISSOURI COURT OF APPEALS EASTERN DISTRICT**  
**DIVISION FOUR**

STATE OF MISSOURI,	)	No. ED93837
	)	
Respondent,	)	Appeal from the Circuit Court of
	)	Cape Girardeau County
vs.	)	
	)	Honorable Gary A. Kamp
DAVID DIENSTBACH, JR.,	)	
	)	Cause No. 09G9-CR01208
Appellant.	)	
	)	Filed: June 15, 2010
	)	

This is an interlocutory appeal filed by the State of Missouri pursuant to Section 547.200.1(3) RSMo (2000) appealing from the trial court’s order sustaining David W. Dienstbach’s (hereinafter, “Defendant”) motion to suppress. The State raises one point on appeal arguing the trial court erred in sustaining Defendant’s motion to suppress in that the Missouri State Highway Patrol trooper had the jurisdiction and authority to make a traffic stop on a city street when he observed Defendant violating a state law.

REVERSED AND REMANDED.

Division IV holds: The trial court clearly erred in sustaining Defendant’s motion to suppress evidence in that the Missouri Highway Patrol trooper had the jurisdiction and authority to stop Defendant for violating a state traffic law and Defendant’s subsequent arrest was lawful.

Opinion by: George W. Draper III, J.

Kurt S. Odenwald, P.J., and  
Gary M. Gaertner, Jr., J.,  
concur

Attorneys for Appellants: Harry M. Swingle  
John N. Koester  
Attorney for Respondents: Jeffrey P. Dix

**THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT.  
IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND  
SHOULD NOT BE QUOTED OR CITED.**