

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT**

**STATE OF MISSOURI,  
RESPONDENT,**

**v.**

**DIMETRIOS L. WOODS,  
APPELLANT.**

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WD69194

March 10, 2009

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Appeal From:  
CLAY COUNTY CIRCUIT COURT  
THE HONORABLE LARRY DALE HARMAN, JUDGE

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Appellate Judges:  
Division One: Lisa White Hardwick, P.J., James M. Smart, Jr., and Joseph P.  
Dandurand, JJ.

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Attorneys:  
Scott Rosenblum, Clayton, MO, **for appellant.**

Shaun J. Mackelprang, Asst. Attorney General, Jefferson City, MO, **for respondent.**

# MISSOURI APPELLATE COURT OPINION SUMMARY

## MISSOURI COURT OF APPEALS, WESTERN DISTRICT

**STATE OF MISSOURI, RESPONDENT**

v.

**DIMETRIOUS L. WOODS, APPELLANT**

WD69194

CLAY COUNTY CIRCUIT COURT

Division One Judges: Lisa White Hardwick, P.J., James M. Smart, Jr., and Joseph P. Dandurand, JJ.

Dimetrious Woods was charged with drug trafficking in the second degree. The charge was premised upon cocaine discovered in a vehicle rented by Woods. Woods claimed that the evidence obtained when he and the driver of the vehicle were stopped by a police officer should have been suppressed because it was discovered through an unlawful search and seizure. He also argued that the State failed to prove beyond a reasonable doubt that he constructively or actually possessed, or had knowledge and control over, the cocaine located in the trunk of the jointly possessed rental car. Woods was convicted, and he now appeals.

**AFFIRMED.**

**Division One holds:**

Woods avoided a ruse drug checkpoint on a major corridor near a drug trafficking hub. Both Woods and the driver appeared scared, drove in a dangerous and erratic manner, and abruptly exited the interstate without signaling. They quickly exited the vehicle, and the police officer had to yell for them to stop multiple times before they complied. Woods and the driver acted nervous, were carrying large amounts of cash, acknowledged prior drug convictions, and stated that they had rented the vehicle in St. Louis for the purpose of travelling from Kansas City to Columbia. These facts together provided an articulable and reasonable suspicion of criminal activity warranting continued temporary detention for investigation.

Twenty-seven minutes elapsed between the stop and the police officer's search of the vehicle after the drug dog alerted. The officer was actively investigating, questioning the two individuals and running routine computer checks during most of that time; there was no evidence that there was a burdensome period of inactivity waiting for the canine unit. The officer called for the canine unit eight minutes after the stop was initiated. The canine unit arrived in fifteen minutes, and the canine search was completed four minutes

after the canine's arrival. In view of the substantial indicators of drug activity in progress, we cannot say that the length of the detention was unreasonable.

The State presented sufficient evidence that Woods had knowledge of or control over the drugs found in the vehicle. He rented the vehicle and used it for his personal use. The car contained Woods' mail and other papers belonging to him, and Woods testified that he rented the vehicle for personal use. Over 9,000 grams of a substance containing cocaine salts was found in the trunk of the vehicle. The trunk was not accessible from the passenger compartment. The drugs were not hidden or concealed; they were in plain view. Further, Woods acted nervous and scared and was carrying a large amount of cash. He was the owner of the radar detector found in the vehicle. A bailiff testified at trial that she escorted Woods to the restroom the previous day, and he made incriminating statements to her. She testified that Woods stated: "Don't ever do anything stupid or get into trouble, I'm facing life for some drugs. My family is here and it's very embarrassing. If my partner pleads guilty he can ruin everything for me." The State presented sufficient additional incriminating circumstances in the totality of the circumstances demonstrating that Woods' knowledge of or control over the cocaine salts found in the vehicle.

**Opinion by: James M. Smart, Jr., Judge**

March 10, 2009

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