

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE OF MISSOURI,) ED102338
)
Appellant,) Appeal from the Circuit Court
) of the City of St. Louis
v.) 1422-CR02312-01
)
SHALIMAR STRONG,) Honorable Thomas J. Frawley
)
Respondent.) Filed: April 7, 2015

This is an interlocutory appeal in which the State of Missouri appeals the trial court’s grant of Shalimar Strong’s (Defendant) motion to suppress evidence of a gun seized by police officers from Strong. The State argues that the trial court erred in suppressing the evidence because officers seized the gun during a lawful detention.

REVERSED.

Division Three Holds: The information from a tip to officers that a man at 3300 Keokuk wearing a white tank top and jean shorts had shown a gun to several children, collectively with the officers’ independent observation of Defendant at that location, wearing clothing matching the description, and moving his hand toward his pocket upon the officers’ approach for a field interview, constituted reasonable suspicion that Defendant was illegally concealing a gun. This justified a Terry stop, during which the officers permissibly handcuffed Defendant and performed a pat-down search for the officers’ safety. They discovered the gun during this lawful search, and as such, the trial court clearly erred in suppressing evidence of the gun.

Opinion by: Gary M. Gaertner, Jr., J.
Kurt S. Odenwald, P.J., and Robert G. Dowd, Jr., J., concur.

Attorney for Appellant: Matthew Martin
Attorney for Respondent: Chad M. Oliver

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