

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT**

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COMPLETE TITLE OF CASE:

STATE OF MISSOURI,

Appellant

v.

ROY D. LUCAS.

Respondent

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DOCKET NUMBER WD77088

DATE: October 21, 2014

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Appeal From:

Circuit Court of Randolph County, MO  
The Honorable Scott Alan Hayes, Judge

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Appellate Judges:

Division Two  
Victor C. Howard P.J., James E. Welsh, Anthony Rex Gabbert JJ.

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Attorneys:

Adam Stephen Rowley, Jefferson City, Missouri, Counsel for Appellant,

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Attorneys:

Samuel E. Buffaloe, Columbia, Missouri, Counsel for Respondent

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**MISSOURI APPELLATE COURT OPINION SUMMARY  
MISSOURI COURT OF APPEALS, WESTERN DISTRICT**

**STATE OF MISSOURI,**

**Appellant,**

**v.**

**ROY D. LUCAS,**

**Respondent.**

**WD77088**

**Randolph County**

Before Division Two Judges: Victor C. Howard PJ., James E. Welsh, Anthony Rex Gabbert JJ.

The State of Missouri appeals the circuit court's judgment suppressing all evidence seized, and statements made by Roy D. Lucas, after executing a search warrant at Lucas's residence. The State argues that the circuit court erred in suppressing all evidence obtained as a result of the search of Lucas's residence because the exclusionary rule should not have been applied. The State contends that the officers who executed the search reasonably, and in good faith, relied on a facially valid search warrant.

**AFFIRM**

**Division Two holds:**

The circuit court did not err in declining to apply the good faith exception and suppressing all of the items seized when officers executed a search warrant on Lucas's residence because the officers failed to properly execute the search warrant by seizing items outside the scope of the warrant and flagrantly disregarding the scope of the warrant.

Opinion by Anthony Rex Gabbert, Judge

Date:10/21/14

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