

No. 38,929-KW

COURT OF APPEAL  
SECOND CIRCUIT  
STATE OF LOUISIANA

\* \* \* \* \*

STATE OF LOUISIANA

Respondent

versus

BARRY EUGENE DORTCH

Applicant

\* \* \* \* \*

Application for Writ of Review from the  
Thirty-Seventh Judicial District Court for the  
Parish of Caldwell, Louisiana  
Trial Court No. 66,968

Honorable Don C. Burns, Judge

\* \* \* \* \*

CYRUS WILLIAM FRAZIER, III

Counsel for  
Applicant

ILEY H. EVANS  
District Attorney

Counsel for  
Respondent

CARL BINUS DUKE, JR.  
Assistant District Attorney

\* \* \* \* \*

Before DREW, MOORE and LOLLEY, JJ.

STATE OF LOUISIANA  
COURT OF APPEAL, SECOND CIRCUIT  
430 Fannin Street  
Shreveport, LA. 71101  
(318) 227-3700

NO: 38,929-KW

STATE OF LOUISIANA

VERSUS

BARRY EUGENE DORTCH

FILED: 04/15/04

RECEIVED: PM 04/14/04

On application of Barry Eugene Dortch for WRIT OF REVIEW in No. 66,968 on the docket of the Thirty-Seventh Judicial District, Parish of CALDWELL, Judge Don C. Burns.

Cyrus William Frazier, III

Counsel for:  
Barry Eugene Dortch

Iley H. Evans  
Carl Binus Duke, Jr.

Counsel for:  
State of Louisiana

Before DREW, MOORE and LOLLEY, JJ.

**WRIT DENIED.**

Suspicionless stops are permitted under a variety of situations. *State v. Eppinette*, 36,825 (La. App. 2d Cir. 2/11/03), 838 So. 2d 189. Public safety requires some flexibility for police to investigate and prevent crime. *State v. Wesley*, 28,012 (La. App. 2d Cir. 4/3/96), 671 So. 2d 1257. For example, police officers are justified in ordering passengers out of cars, for officer safety. It may be a slight inconvenience, but it is not a serious intrusion upon privacy interests. *State v. Landry*, 588 So. 2d 345 (La. 1991). Equally, a state law enforcement agent's brief stop of a citizen on a public waterway as a known witness to an observed violation of safety regulations is not a serious intrusion upon privacy interests. See, *Illinois v. Lidster*, 124 S. Ct. 885 (2004).

**THIS WRIT ORDER IS DESIGNATED FOR PUBLICATION.**

Shreveport, Louisiana, this 29th day of April, 2004.

FILED: \_\_\_\_\_

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CLERK