

Fact Pattern

- On Feb 1 2014, Joe is driving his vehicle on State street and is stopped for failing to signal. Police approach the car and notice that Joe (driver, only passenger in the vehicle, vehicle is registered to him) has rapid speech, his chest is rising and falling rapidly, he is fidgeting. Believing that Joe is under the influence of a controlled substance, police call for a K9 and K9 alerts on the vehicle. The vehicle is searched and in the center console a white crystal substance is found and NIK tests positive for methamphetamine. Police, post Miranda, question Joe and he admits the meth in the car belongs to him and he has been using meth for 2 years. Joe is charged with one count of possession of controlled substance methamphetamine. Joe waives his preliminary hearing and pleads guilty to felony possession of controlled substance in district court. Joe has no prior felony criminal record but has multiple misdemeanors

FELONY FLOW CHART

