

Schmidt v. State

Police obtained information that the defendant was in possession of narcotics. Based upon this information, the police obtained a warrant and searched the defendant's vehicle, finding cocaine. The defendant appealed his conviction for possession by challenging the validity of the search warrant. Although the affidavit supporting the warrant indicated that information had been received concerning narcotics in the vehicle and that the vehicle was currently located at a particular location, the affidavit did not state when the information about the cocaine had been obtained. Because the affidavit contained no information indicating how much time might have lapsed between when the information was obtained and when the warrant was sought, the court held that the warrant was invalid and that the evidence subsequently obtained should have been suppressed.