

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

STATE OF DELAWARE

v.

QUAYSHAUN JOHNSON,

Defendant.

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Case No: 1601016740  
In and For Kent County

**ORDER**

Defendant Johnson has Moved to Suppress evidence obtained in an Administrative Search.

Essentially, the parties agree that 11 *Del. Code* § 4321(d) and DOC Procedure 7.19 control the resolution of this Motion. That is, did Officer Porter successfully navigate the requirements of the foregoing to justify his search of Room 106, where the critical evidence was found, as well as Defendant's vehicle and Defendant.

The findings of the hearing on this Motion established the following:

(1) Officer Porter received information, from a person whom he knew to be a past proven, reliable informant, which indicated that "Q" (identified by Officer Porter as Defendant) had been seen by the informant to be in possession of heroin; was to be located at Room 106 of the Dover Inn; and was operating a green SUV. Officer Porter confirmed the accuracy of Defendant's location and vehicle. Additionally, Officer Porter conducted substantial surveillance, providing further corroboration of the informant's information.

(2) Officer Porter, a probation officer, was aware that Defendant was a probationer at the time of the foregoing.

(3) Given the reliability of the information received, and the source from which

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it came, as well as his own observations, Officer Porter had a well informed telephone discussion with his Supervisor. As a result, a search was justified and authorized for Defendant's person, his vehicle and Room 106.

Based on the totality of all of the foregoing, all conforming to Probation and Parole Rule 7.19, 11 *Del. Code* § 4321(d), and relevant case law requirements, the searches here were valid. Defendant's Motion, therefore, is **DENIED**.

**SO ORDERED** this 5<sup>th</sup> day of December, 2016.

/s/ Robert B. Young

J.

RBV/lmc

oc: Prothonotary

cc: D. Benjamin Snyder, Esquire  
Alexander W. Funk, Esquire  
Opinion Distribution