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IN THE COURT OF APPEALS OF NORTH CAROLINA

No. COA24-549

Filed 2 April 2025

Randolph County, No. 22 CRS 052814

STATE OF NORTH CAROLINA

v.

DEREK WILLIAM STOCKWELL

Appeal by defendant from judgment entered 10 December 2023 by Judge Keith O. Gregory in Randolph County Superior Court. Heard in the Court of Appeals 29 January 2025.

*Attorney General Jeff Jackson, by Assistant Attorney General Dylan Sugar, for the State.*

*Darren Jackson for defendant-appellant.*

PER CURIAM.

Defendant Derek William Stockwell was charged with various drug offenses arising from a traffic stop where law enforcement discovered methamphetamine in his car. Defendant moved to suppress the methamphetamine found in his car. After the trial court denied Defendant's motion to suppress, Defendant pleaded guilty to the trafficking charges, while other charges were dismissed pursuant to a plea

agreement. Defendant was sentenced to 70 to 93 months of imprisonment. Defendant appeals the trial court's denial of his motion to suppress.

I. Analysis

When reviewing the denial of a motion to suppress, we consider “whether competent evidence supports the trial court’s findings of fact and whether the findings of fact support the conclusions of law.” *State v. Biber*, 365 N.C. 162, 167–68 (2011). “Conclusions of law are reviewed de novo[.]” *Id.* at 168.

The issues raised on appeal concern whether the officer had reasonable suspicion to stop Defendant and whether the officer unconstitutionally prolonged the stop. We address each issue in turn.

“[A] traffic stop is permitted if the officer has a ‘reasonable, articulable suspicion that criminal activity is afoot.’ ” *State v. Styles*, 362 N.C. 412, 414 (2008) (quoting *Illinois v. Wardlow*, 528 U.S. 119, 123 (2000)).

Here, the officer testified that he stopped Defendant for following another vehicle too closely, in violation of N.C.G.S. § 20-152(a). Defendant, though, testified that he was not following any vehicle too closely. The trial court’s written order does not include findings resolving this conflict. However, our Supreme Court has held that it is sufficient for a trial court to resolve an evidentiary conflict by making findings during its oral rendition of its decision. *See State v. Jordan*, 385 N.C. 753, 282–83 (2024); *State v. Bartlett*, 368 N.C. 309, 312 (2015). And, here, the transcript shows that the trial court found that the officer reasonably believed that Defendant

was following another vehicle too closely, precipitating the traffic stop. *See State v. Smith*, 278 N.C. 36, 41 (1971) (“Where the evidence is conflicting . . . the judge must resolve the conflict. He sees the witnesses, observes their demeanor as they testify and by reason of his more favorable position, he is given the responsibility of discovering the truth.”). We, therefore, conclude that the officer had reasonable suspicion to initiate the stop.

Defendant further argues that the officer unconstitutionally prolonged the initial stop.

“[T]he duration of a traffic stop must be limited to the length of time that is reasonably necessary to accomplish the mission of the stop[.]” *State v. Bullock*, 370 N.C. 256, 257 (2017). “Beyond determining whether to issue a traffic ticket, an officer’s mission during a traffic stop includes ordinary inquiries incident to the traffic stop. Typically, such inquiries involve checking the driver’s license, determining whether there are outstanding warrants against the driver, and inspecting the automobile’s registration and proof of insurance.” *Rodriguez v. United States*, 575 U.S. 348, 355 (2015) (cleaned up).

During the hearing, both the officer and Defendant testified that the officer was still checking various databases in completing a warning citation when a second officer arrived with a drug-sniffing canine, who alerted the officers to narcotics in the car, prompting the search whereupon methamphetamine was discovered. Defendant does not argue about any *conflict* in this testimony.

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Further, the trial court made oral findings about the reasonableness of the officer's actions in checking multiple databases regarding Defendant based on the circumstances. There is no conflict in the record concerning these circumstances. And after reviewing the record, we conclude that the trial court did not err by essentially concluding in its oral rendition that the stop was not unreasonably prolonged.

AFFIRMED.

Panel consisting of Chief Judge DILLON and Judges STROUD and ZACHARY.

Report per Rule 30(e).