

Judge Oks move to suppress evidence

By Lisa Hammer

The Dispatch and The Rock Island Argus

Judge Jeffrey O'Connor granted a California man's motion to suppress evidence in a \$2.1 million drug case "with regret" on Wednesday, adding that he hopes the Third District Appellate Court will review it.

After the hearing, Jose Beltran, 55, of Arbutle, Calif., was remanded to Henry County Jail where he is being held on \$1 million bond. He reportedly was found with 35 pounds of cocaine and 10 pounds of methamphetamine in a

March 18 traffic stop on Interstate 80 and charged with five Class X felonies.

The Judge denied a request to release Mr. Beltran, who has been jailed since March.

Judge O'Connor said he believed existing precedents on searches only cover scenarios in which there is one arresting officer. In Mr. Beltran's case, Trooper Andrew Fratzke had pulled him over for talking on his cellphone while

driving and was in the midst of a vehicle inspection when Trooper Clint Thulen arrived.

The judge said he didn't believe appellate courts have addressed whether the second officer on a scene has "carte blanche" to conduct drug interdiction or if he's bound by the same rules that apply to the arresting officer, "limiting him to the reasons for the stop unless there is consent to search.