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MUNICIPAL ORDINANCE - NEBRASKA

City of Beatrice v. Meints

Supreme Court of Nebraska - December 5, 2014 - N.W.2d - 289 Neb. 558

Defendant was convicted in the Gage County Court of violating city ordinance prohibiting the prolonged parking of unregistered motor vehicles on private property. Defendant petitioned for further review.

The Supreme Court of Nebraska held that:

- Probable cause, standing alone, is not an exception to the search warrant requirement of the Fourth Amendment as applied to real property, but
- Police officer did not conduct a “search” of defendant’s property, since property was an “open field.”

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