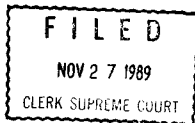


IN THE COURT OF APPEALS OF IOWA

No. 9-505 / 88-718



STATE OF IOWA,

Appellee,

477

vs.

GARY DON NEAL,

Appellant.

Appeal from the Iowa District Court for Linn County,
Robert E. Sosalla and John Siebenmann, Judges.

The defendant appeals a judgment and sentence of the
district court finding him guilty of operating a motor
vehicle while license was under suspension. **AFFIRMED.**

Steven E. Howes of Mollman, Gruhn & Wertz,
Cedar Rapids, for appellant.

Thomas J. Miller, Attorney General; Sarah J. Coats,
Assistant Attorney General; and Janet Petersen, Assistant
County Attorney, for appellee.

Heard by Donielson, P.J., and Sackett and Habhab, JJ.

HABHAB, J.

This is an appeal from the trial court's refusal to suppress certain evidence relating to appellant's conviction of operating a motor vehicle while license under suspension in violation of Iowa Code section 321J.21. We affirm.

The standard of review in this case is de novo. When we are "confronted with alleged constitutional violations, we resolve the issue by making our own independent evaluation of the totality of the circumstances The burden is on the State to show this evidence was obtained lawfully." State v. Hilleshiem, 291 N.W.2d 314, 316 (Iowa 1980).

The fourth amendment requires a showing of "reasonable cause" to justify stopping a vehicle for investigatory purposes, which must include a particularized objective basis for suspecting that the defendant may have violated traffic laws. United States v. Cortez, 449 U.S. 411, 417-18, 101 S. Ct. 690, 694-95, 66 L. Ed. 2d 621, 628 (1981); see also State v. Lamp, 322 N.W.2d 48, 51 (Iowa 1982). Reasonable cause exists when an officer observes unusual conduct leading the officer to conclude in light of his or her experiences that criminal activity may be afoot. See State v. Donnell, 239 N.W.2d 575, 577 (Iowa 1976). Reasonable cause may be based on information gained through another person, such as that which Vandezandschulp

gained through the police radio dispatch. State v. Schubert, 346 N.W.2d 30, 32 (Iowa 1984).

We have reviewed this matter de novo. In doing so, we have made our own independent evaluation of the totality of the circumstances. We find that the State has carried its burden to show that the evidence in dispute was obtained lawfully. The trial court was correct in overruling the motion to suppress. We affirm.

AFFIRMED.