

## Search warrant ruled in error

Errors in a Clark County sheriff's search warrant for a 1986 drug raid justified dropping charges against the suspect, the Washington Court of Appeals has ruled.

The ruling upholds a similar finding by Superior Court Judge J. Dean Morgan, who freed John Scott Kelley, 37, after his home near Dollars Corners was raided.

In its written decision, the three-judge appellate panel noted that Deputy Sheriff Charles Christensen gathered information about a garage, a larger four-car garage and a barn adjacent to the home. But when the search warrant was

requested, it mentioned only the carport and house.

Defense attorney Steve Thayer argued that the search of the house had not been supported by any evidence, and the search of the outbuildings went beyond the limit of the warrant document. Both the local and appeals court judges agreed.

The appeal was filed by the prosecutor's office. The raid evidence that was tossed out included roughly 300 marijuana plants, halide lights, and drug paraphernalia that were seized in the house and outbuildings.