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DISTRICT III

August 18, 2026

To:

Hon. Angeline E. Winton
Circuit Court Judge
Electronic Notice

Philip J. Brehm
Electronic Notice

Shannon Anderson
Clerk of Circuit Court
Washburn County Courthouse
Electronic Notice

John D. Flynn
Electronic Notice

You are hereby notified that the Court has entered the following opinion and order:

2025AP224-CR

State of Wisconsin v. Richard James Reynolds
(L. C. No. 2020CF114)

Before Stark, P.J., Hruz, and Gill, JJ.

Summary disposition orders may not be cited in any court of this state as precedent or authority, except for the limited purposes specified in WIS. STAT. RULE 809.23(3).

Richard Reynolds appeals from a judgment convicting him, upon his guilty plea, of possession with intent to deliver more than 50 grams of methamphetamine, as a party to the crime. The sole issue on appeal is whether the circuit court properly denied Reynolds' motion to suppress evidence seized during a traffic stop.¹ Reynolds contends that information law

¹ WISCONSIN STAT. § 971.31(10) (2023-24) authorizes review of a suppression ruling notwithstanding a defendant's subsequent guilty plea.

All references to the Wisconsin Statutes are to the 2023-24 version.

enforcement officers received from two informants was insufficiently reliable to establish reasonable suspicion to stop his vehicle. Based upon our review of the briefs and record, we conclude at conference that this case is appropriate for summary disposition. See WIS. STAT. RULE 809.21. We affirm.

When reviewing a suppression ruling, we will uphold the circuit court's findings of fact unless they are clearly erroneous. WIS. STAT. § 805.17(2); **State v. Harris**, 2017 WI 31, ¶9, 374 Wis. 2d 271, 892 N.W.2d 663. We will independently determine, however, whether the facts found by the court satisfy applicable constitutional provisions. **Harris**, 374 Wis. 2d 271, ¶9.

The circuit court made the following factual findings. Reynolds was arrested, and the challenged evidence was seized following a traffic stop. The stop was the result of an investigation into a methamphetamine distribution operation jointly conducted by the Wisconsin Department of Justice Division of Criminal Investigation (DCI) and the Washburn, Burnett, and Rusk County Sheriffs' Departments.

The investigation began in 2019 when Erick Cooke, a man incarcerated in the Burnett County Jail and facing drug charges, informed a DCI agent that Craig and Molly Pearson and Greg Visger were involved in distributing methamphetamine in Washburn County. Cooke claimed that he had been personally involved in drug deals at both the Pearson and Visger residences. The DCI agent knew Cooke as an informant from prior law enforcement contacts, but he did not act upon Cooke's information at that time because it was uncorroborated.

In April 2020, the DCI agent observed increased vehicular traffic at the Pearson residence, which in the agent's experience could be indicative of drug trafficking. The agent

documented the presence of a red Lincoln, registered to Reynolds, and a cream-colored Lexus, registered to an older couple residing in Hinckley, Minnesota.

On August 7, 2020, a confidential informant (CI) informed a law enforcement officer that “Greg V.,” “Bella,” and “Robin Woody” were involved in trafficking methamphetamine through the Pearson residence. The CI told the officer that Woody lived in Burnett County and also provided a phone number for Woody. The CI stated that he recently had been living in his car on a property owned by Greg V., that he had been clean for about six months, and that he simply wanted to bring forth the information.

On August 20, 2020, the CI informed another law enforcement officer that Woody and Robin were about to deliver a shipment of methamphetamine to either Greg V.’s residence or the Pearson residence using a red Lincoln Navigator SUV or a tan SUV. The CI said he had met Woody and Robin in the past at the Pearson and Visger residences, and he knew that Woody and Robin supplied methamphetamine to the Pearsons and Visger. The CI described Woody as an African American male under six feet tall with an average build who had once been charged with attempted homicide in Minnesota, and he described Robin as a Native American female with bleached blond hair. The CI said that Woody and Robin were living somewhere between Danbury, Wisconsin, and Hinckley, Minnesota, but that he did not know what route they would be taking. The CI also mentioned Cooke and Christopher Wright as people who might be involved with, or have information about, the drug operation. The CI believed that Cooke was in jail and that Wright was residing on Greg Visger’s property.

On August 21, 2020, following a new arrest on drug charges in Rusk County, Cooke again informed law enforcement that the Pearsons and Visger were involved in distributing

methamphetamine, and he named “Woody” and “Robin” as their suppliers. Cooke additionally claimed that he had personally purchased methamphetamine from Woody and Robin as early as April 2020 and that on one occasion he had sold some methamphetamine to them.

Based upon the CI’s tip, a DCI agent showed Cooke a picture of Reynolds, and Cooke identified Reynolds as the person he knew as Woody from Hinckley. Cooke also stated that Woody and Robin usually drove a red Lincoln Navigator and a cream-colored Lexus, which matched the agent’s own observations of vehicles at the Pearson residence. In addition, Cooke told the agent about illegal drug deals he himself had with Woody and Robin. Cooke stated that the \$2,500 in cash that he had in his possession at the time of his arrest came from Reynolds.

On August 24, 2020, the DCI agent observed a cream-colored Lexus SUV arrive at the Pearson residence. He confirmed that the Minnesota plates on the vehicle matched one of the vehicles he had previously observed at the Pearson residence. The agent conveyed the information to a Washburn County drug investigator, who stopped the vehicle after it left the Pearson residence. During the stop, a canine alerted on the vehicle, and law enforcement recovered small amounts of methamphetamine and marijuana from Reynolds’ person and over a pound of methamphetamine from his vehicle.

Reynolds concedes that these factual findings are not clearly erroneous. He contends, however, that the facts are insufficient to justify his stop under applicable constitutional principles, due to several inconsistencies and credibility issues with the two informants. Specifically, he points to the CI’s initial reference to “Robin Woody” as one person, rather than two people; the CI’s description of Reynolds as a black male with an afro, when he was actually

Native American;² Cooke's incentive to provide information to receive favorable treatment on his own pending charges; and the lack of specificity from either informant as to the exact time and place of the anticipated drug transaction.

It is constitutionally permissible under the Fourth Amendment for a law enforcement officer to briefly detain an individual for investigative questioning when there exists a reasonable suspicion, based upon specific and articulable facts together with rational inferences drawn from those facts, that the individual is or has been engaged in criminal activity. See *Terry v. Ohio*, 392 U.S. 1, 21-22 (1968). When a stop is based upon information from an informant, the reasonable suspicion analysis must take into account the reliability of the informant as well as the details of the information provided and any available corroboration. *State v. Miller*, 2012 WI 61, ¶¶31-32, 341 Wis. 2d 307, 815 N.W.2d 349.

The degree of detail and corroboration required to establish reasonable suspicion is inversely proportional to the reliability of the informant, which may in turn depend upon the informant's potential motives for providing information and whether the informant could face consequences for providing false information. *Id.*, ¶¶31, 33-34. Thus, a tip from a so-called "citizen informant" (i.e., someone who merely happens upon a crime or suspicious activity and reports it to the police) is considered more inherently reliable than a tip from a "confidential informant" (a person who assists the police in identifying and catching a criminal, often based upon knowledge or relationships gained from the person's own past criminal history), while

² The circuit court did not make any factual finding as to Reynolds' race or ethnicity, but one of the law enforcement officers testified that it was his "understanding" that Reynolds was Native American.

anonymous tipsters are considered the least reliable sources. *State v. Kolk*, 2006 WI App 261, ¶12, 298 Wis. 2d 99, 726 N.W.2d 337.

There were multiple indicia of reliability for the two informants in this case. First, neither informant was anonymous. Each informant therefore faced the possibility of consequences for providing false information. Second, both informants admitted to personal involvement with drugs in the past, which helped explain the basis for their knowledge. Third, the two informants corroborated each other with respect to the claim that Reynolds had been supplying the Pearsons and Visger with methamphetamine and the descriptions of the vehicles used by Reynolds. Finally, law enforcement officers independently observed the described vehicles at the Pearson residence.

Given the indicia of reliability of the informants, we conclude that law enforcement officers could deem the CI's tip about an upcoming methamphetamine delivery to be reliable, notwithstanding other minor inconsistencies in the CI's statement. The CI's tip, which was further corroborated by the cream-colored SUV showing up at the Pearson residence as predicted, in turn provided reasonable suspicion for the stop. It follows that the circuit court properly denied the suppression motion.

Upon the foregoing,

IT IS ORDERED that the judgment is summarily affirmed. WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that this summary disposition order will not be published.

Samuel A. Christensen
Clerk of Court of Appeals