



Administrative Office of the Courts

FOR IMMEDIATE RELEASE

July 8, 2026

NM Supreme Court rules that evidence is inadmissible in New Mexico courts if seized in another state during a search that violates New Mexico constitutional protections

SANTA FE – New Mexico’s constitutional protections against unreasonable searches and seizures apply to evidence obtained in a search in another state when prosecutors seek to use the seized evidence in a New Mexico court, the state Supreme Court ruled today.

In a unanimous opinion, the Court held that a firearm found by a sheriff’s deputy during a traffic stop in Texas could not be introduced as evidence in the prosecution of Adrian Dontae Causey for the fatal shootings of two men in 2017 in Bernalillo County. The justices concluded that the warrantless search violated Causey’s rights under Article II, Section 10 of the New Mexico Constitution.

The case represented the first time the Court considered the question of whether New Mexico’s exclusionary rule applied to evidence obtained during a search by out-of-state law enforcement that is proper under that state’s law.

“To be clear, our holding today should not be interpreted as a bar on the admission of all evidence obtained outside of New Mexico by non-New Mexico agents,” the Court stated in an opinion written by Justice C. Shannon Bacon. “To the contrary, the State can proffer evidence gathered outside of New Mexico by another jurisdiction’s law enforcement agency so long as that evidence is lawfully obtained under Article II, Section 10.”

Warrantless searches are presumed to be unreasonable under the law but court rulings over the years have recognized certain exceptions in which police may conduct a search and seize evidence without a warrant.

Causey was a passenger in a car stopped in Texas because of a defective headlight. The deputy issued a warning to the driver about the headlight, returned his driver’s license and paperwork, and then expanded the stop by asking questions about drugs and weapons. The driver eventually admitted there was marijuana in the car. The deputy radioed that he planned to search the car because he had probable cause that a crime had been committed. The deputy questioned Causey, frisked and handcuffed him, and found a gun magazine in his pocket. Causey, in response to more questioning, admitted there was a gun on the floor behind the passenger seat. A check on the gun produced no results but it was later connected to the killings in Albuquerque.

Today's ruling affirmed a decision by the Second Judicial District Court to exclude the evidence on state constitutional grounds. In appealing the decision to the Supreme Court, New Mexico prosecutors argued that the district court erred in suppressing the evidence because the search was permitted under Texas law and the Fourth Amendment to the U.S. Constitution.

The justices disagreed, and noted that its previous rulings concluded that New Mexico's constitutional standards governing the admissibility of evidence applied when state prosecutors seek to admit evidence seized by federal agents at border patrol checkpoints in New Mexico. The New Mexico Constitution offers broader protections against unreasonable searches and seizures than the federal constitution.

"Article II, Section 10's protection against unreasonable searches and seizures – whether applied to the actions of federal agents, Texas agents, or any other non-New Mexico agent – remains a fundamental constitutional right entitling individuals freedom from unwarranted governmental intrusion and is effectuated by the exclusion of evidence that results from such intrusion when proffered in New Mexico courts," the Court wrote.

The justices emphasized that "our holding constrains the state's ability to use evidence for prosecution in New Mexico courts and does not seek to control or deter the conduct of other sovereigns."

The Court rejected the State's contention that Causey consented to be subject to Texas law by entering the state and did not retain New Mexico's constitutional protections under Article II, Section 10 when charged in a New Mexico court.

"New Mexico law is clear that when a defendant faces charges in a New Mexico court, their individual rights are protected by the New Mexico Constitution," the Court wrote. "While it is true an individual subjects themselves to the laws of another state when entering that state, it does not stand to reason that those laws follow them to New Mexico and through the judicial process in our state courts."

###

To read the decision in *State v. Causey*, No. S-1-SC-40763, please visit the New Mexico Compilation Commission's website using the following link:

<https://nmonesource.com/nmos/nmsc/en/item/538385/index.do>