

United States Court of Appeals
For the Eighth Circuit

No. 25-2458

United States of America

Plaintiff - Appellee

v.

James Edward Colquhoun

Defendant - Appellant

Appeal from United States District Court
for the Northern District of Iowa - Cedar Rapids

Submitted: September 21, 2026

Filed: October 8, 2026

Before LOKEN, ARNOLD, and ERICKSON, Circuit Judges.

ARNOLD, Circuit Judge.

After police searched a car that James Colquhoun was driving and found drugs and a firearm in it, he was charged with various federal crimes. When he moved to suppress the fruits of the search, the district court¹ denied his motion. Reserving his

¹The Honorable C.J. Williams, Chief Judge, United States District Court for the Northern District of Iowa, adopting the report and recommendation of the Honorable Mark A. Roberts, United States Magistrate Judge for the Northern District of Iowa.

right to appeal the denial, he pleaded guilty to conspiring to distribute a controlled substance following a prior conviction for a serious drug felony, *see* 21 U.S.C. §§ 841(a)(1), (b)(1)(A), 846, and 851, and to carrying a firearm during and in relation to a drug trafficking crime and possessing a firearm in furtherance of a drug trafficking crime, *see* 18 U.S.C. § 924(c)(1)(C)(i). Colquhoun now appeals the court’s denial of his suppression motion, and we affirm.

In denying the motion, the district court explained that officers stopped the car because they suspected that a passenger named Timber Hogan was the subject of an active arrest warrant. Once the car stopped, two officers approached Hogan while a third officer, Shawn Hagarty, approached Colquhoun to inform him that a trained drug dog was going to sniff the car. The dog alerted near the driver’s door, indicating that drugs were present.

While the dog did its work, the two officers who approached Hogan sought to determine who she was and whether her arrest warrant was still valid. One of the officers explained this process at the suppression hearing: Officers first confirm the person’s name and date of birth and transmit them to dispatch; dispatch then sends a message to the agency that issued the warrant to determine whether it remains valid; and if the issuing agency confirms the warrant’s validity, dispatch will advise the officers in the field so they can arrest the suspect. One of the officers testified that the whole process usually takes ten to fifteen minutes. In this particular case, it took about ten minutes.

“On review of a motion to suppress, we review factual findings for clear error and legal conclusions *de novo*.” *United States v. Hamdan*, 168 F.4th 1087, 1090 (8th Cir. 2026). On appeal, Colquhoun does not take issue with the officers’ decision to stop his car to investigate Hogan; rather, he says that since Hogan was no longer in the car by the time the dog finished its task, “the mission of the stop was completed as to Mr. Colquhoun,” meaning that officers unconstitutionally prolonged the stop so the dog could sniff the car. It is true that “[a] constitutionally permissible traffic stop

becomes unlawful when its length exceeds the time needed to attend to the stop’s mission and related safety concerns,” *see id.*, and we have specifically held that “[a]n open air dog sniff that does not prolong the initial purpose of a stop is permissible” under the Fourth and Fourteenth Amendments. *See United States v. Nguyen*, 59 F.4th 958, 964 (8th Cir. 2023). So the relevant question becomes simply whether in the current circumstances the officers had completed their mission by the time the dog alerted on the car, giving officers probable cause to search it. *See United States v. Winters*, 600 F.3d 963, 967 (8th Cir. 2010).

Our decision in *United States v. Claude X*, 648 F.3d 599 (8th Cir. 2011) supplies the answer. There, as here, officers stopped a car the defendant was driving because they suspected that a passenger had an active arrest warrant and ordered the passenger out of the car. While officers confirmed the validity of the passenger’s arrest warrant, another officer directed a trained drug dog to sniff outside the car. The dog indicated that the car contained drugs, which the officers confirmed after searching it. When the driver moved to suppress the evidence on the ground that officers had unconstitutionally prolonged the stop for the dog sniff, the district court denied the motion. *See id.* at 600–02. We affirmed the court’s decision, holding that because the officers had not concluded their procedures related to the passenger’s arrest by the time the dog sniffed the car, the stop wasn’t unconstitutionally prolonged. *See id.* at 602–03.

The same reasoning applies here. The district court found on an ample record that dispatch confirmed the validity of Hogan’s arrest warrant “well after” the dog alerted Hagarty to the presence of drugs in the car. And, as in *Claude X*, it does not matter that the passenger had exited the car because the officers’ mission wasn’t simply to remove Hogan from the car; it was to verify her identity and confirm the validity of her arrest warrant so they could arrest her. Colquhoun, moreover, doesn’t contend that the officers intentionally stalled in allowing the dog to complete its task. In sum, the stop was not unconstitutionally prolonged.

Colquhoun tries to distinguish *Claude X* by pointing out that the passenger there had left belongings in the car while officers confirmed her warrant, and he says that Hogan didn't leave any belongings behind. We believe that Colquhoun is fixating on a circumstance in *Claude X* that carries no legal significance. In that case we indeed adverted to the district court's finding that the passenger's "possessions (including her purse) were still in [X's] car." *See id.* at 603. But the full context of the court's discussion reveals the relevant point: By the time the officer in *Claude X* directed the dog to sniff the car, the officers were still performing their routine procedures pertaining to the passenger's arrest. *See id.* at 602–03. It seems likely that the observation about the passenger's purse was offered simply to support the finding that the officers had not finished confirming the passenger's arrest warrant, or perhaps the observation was unnecessary surplusage that did no work. What is certain is that it did not figure in the court's decision. Nor does Colquhoun explain how this factual distinction should lead us to a different outcome.

Colquhoun also notes that, unlike here, the defendant in *Claude X* was handcuffed for obstruction when he refused to permit officers to search the car. We fail to see how this distinction makes a difference either, because it had no effect on the result the court reached.

We therefore agree with the district court's decision to deny Colquhoun's motion to suppress.

Affirmed.
