

**940 F.2d 392**

**UNITED STATES** of America, Plaintiff-Appellee,

**v.**

Inez Ramon **SALINAS**, Defendant-Appellant.

**No. 89-10350. United States Court of Appeals, Ninth Circuit.**

Submitted April 4, 1991.\*

Memorandum Filed May 24, 1991.

Opinion Aug. 5, 1991.

Jose H. Robles,

Asst. Federal Public Defender, Tucson, Ariz., for defendant-appellant.

Milan D. Tesanovich,

Asst. U.S. Atty., Tucson, Ariz., for plaintiff-appellee.

Appeal from the United States District Court for the District of Arizona.

Before WRIGHT, GOODWIN and SKOPIL, Circuit Judges.

**ORDER**

The memorandum disposition filed May 24, 1991  
is redesignated as an authored opinion by Judge Goodwin.

**OPINION**

**GOODWIN**, Circuit Judge:

**1**

Salinas contends that the district court erred by denying his motion to suppress evidence because the officer who stopped his vehicle lacked founded suspicion of criminal conduct. We agree and reverse.

**6**

The fourth amendment forbids stopping a vehicle even for the limited purpose of questioning its occupants unless police officers have a founded suspicion of criminal conduct.

--*United States v. Ramirez-Sandoval*, 872 F.2d 1392, 1395 (9th Cir.1989). “Founded suspicion must exist at the time the officer initiates the stop.” *United States v. Thomas*, 863 F.2d 622, 625 (9th Cir.1988).

**7**

Founded suspicion exists when an officer is aware of specific articulable facts, that, together with rational inferences drawn from them, reasonably warrant a suspicion that the person to be detained has committed or is about to commit a crime.

--*United States v. Cortez*, 449 U.S. 411, 416-18, 101 S.Ct. 690, 694-95, 66 L.Ed.2d 621 (1981); *United States v. Robert L.*, 874 F.2d 701, 703 (9th Cir.1989).

**10**

REVERSED.

\*The panel finds this case appropriate for submission without oral argument pursuant to Ninth Circuit Rule 34-4 and Fed.R.App.P. 34(a)