

NOTICE

This Order was filed under Supreme Court Rule 23 and is not precedent except in the limited circumstances allowed under Rule 23(e)(1).

2024 IL App (4th) 240379-U

NO. 4-24-0379

IN THE APPELLATE COURT

OF ILLINOIS

FOURTH DISTRICT

FILED

December 24, 2024
Carla Bender
4th District Appellate
Court, IL

THE PEOPLE OF THE STATE OF ILLINOIS,)	Appeal from the
Plaintiff-Appellee,)	Circuit Court of
v.)	Tazewell County
DeSHAWN L. EARLY,)	No. 23CF275
Defendant-Appellant.)	
)	Honorable
)	Stephen A. Kouri,
)	Judge Presiding.

JUSTICE HARRIS delivered the judgment of the court.
Justices Zenoff and Doherty concurred in the judgment.

ORDER

¶ 1 *Held:* The trial court did not err in denying defendant's motion to suppress evidence.

¶ 2 Defendant, DeShawn L. Early, was found guilty of unlawful possession of a controlled substance with intent to deliver (720 ILCS 570/401(c)(2) (West 2022)) and sentenced to four years in prison. He appeals, arguing the trial court erred by denying his motion to suppress evidence that was discovered during an alleged unlawfully prolonged traffic stop. We affirm.

¶ 3 I. BACKGROUND

¶ 4 In May 2023, a grand jury indicted defendant on one count of unlawful possession of a controlled substance with intent to deliver (*id.*), alleging he knowingly possessed with the intent to deliver between 1 and 15 grams of a substance containing cocaine. The charge arose following an April 2023 traffic stop of a vehicle driven by defendant. During the stop, a police

officer asked defendant to exit his vehicle, conducted a pat-down search of defendant's person, and discovered a bag containing crack cocaine in defendant's right pant leg. A subsequent search of the vehicle led to the discovery of another bag containing crack cocaine, a box of sandwich bags, a digital scale, and two sandwich bags with the bottom corner torn off. Additionally, after transporting defendant to jail, the officer found a bag containing crack cocaine in the back of his squad car.

¶ 5 In July 2023, defendant filed a "Motion to Quash," in which he sought to suppress evidence obtained as a result of the traffic stop and the warrantless searches of his person and vehicle. He argued, in part, that the police officer who executed the stop lacked probable cause for the searches and "impermissibly extended the stop" by asking him to exit his vehicle.

¶ 6 The same month, the trial court conducted a hearing on defendant's motion. Evidence showed that between 10 and 11 p.m. on April 19, 2023, defendant was stopped by Tazewell County Sheriff's Deputy Austin Gillespie in Pekin, Illinois. Defendant testified he was driving to pick up his girlfriend from work and had been "at a mechanic's house," where he "just picked up the car" he was driving. He recalled making a turn onto a four-lane roadway, with two lanes of travel in each direction. After using his turn signal and changing lanes, he was pulled over. Defendant asserted Gillespie approached his vehicle and asked for his "license and stuff." Defendant provided his driver's license and informed Gillespie that he had insurance but had "to look it up on [his] phone." Defendant stated Gillespie asked whether he had been "drinking or smoking," asserting that defendant had been "swerving a little bit." Defendant denied either drinking or smoking and testified he disagreed with Gillespie's characterization of his driving.

¶ 7 According to defendant, Gillespie next stated that he was "letting [defendant] go" with a verbal warning. However, when defendant asked Gillespie to return his identification,

Gillespie said “he’d rather [defendant] step out of the car and talk to him back at his squad car.” Defendant maintained that Gillespie did not provide a reason for wanting him to exit his vehicle. When defendant expressed that he did not have to get out, Gillespie informed him that he had to “by law.” Defendant testified he also asked if he could speak to Gillespie’s sergeant, but Gillespie informed him there was no sergeant on duty.

¶ 8 Ultimately, other police officers arrived at the scene and began “pulling on the handles for [defendant] to get out of the car.” Defendant testified he told the officers he would get out “willingly” and then exited the vehicle. He stated the officers immediately grabbed and searched him, finding cocaine in his right pant leg. Defendant testified he was handcuffed, and his car was also searched.

¶ 9 In opposition to defendant’s motion, the State presented testimony from Gillespie and Daniel Greving, another Tazwell County sheriff’s deputy who responded to the scene of the traffic stop. It also presented recordings from both deputies’ body cameras, as well as a recording from Gillespie’s squad car camera. Gillespie testified he stopped defendant’s vehicle for improper lane usage and “not signaling within 200 feet” of a lane change in a rural area. Gillespie approached the passenger side of the vehicle, and defendant rolled down the passenger side window. Gillespie testified that as he approached, he noticed defendant reaching toward the back seat. Additionally, he stated he recognized defendant when defendant rolled down his window. Specifically, Gillespie testified he was aware that defendant had recently been arrested for aggravated discharge of a firearm and multiple gun charges, that he had fled from the police in the past, and that “one of his charges was possession of a firearm by a felon.” Gillespie testified he had also learned from other police officers who were involved in narcotics investigations that defendant “was involved in drug sales.”

¶ 10 The recording from Gillespie's body camera showed he initiated contact with defendant by stating he had observed defendant "swerving a couple of times" and that he wanted to make sure defendant was not drunk. Defendant denied being drunk, and Gillespie asked for his driver's license, which defendant provided. Defendant also indicated to Gillespie that he could access his insurance information from his cell phone. Upon questioning by Gillespie, defendant denied having any warrants, reiterated that his insurance information could be accessed on his cell phone, and stated he was driving a rental car. Defendant further informed Gillespie that the rental agreement information was on his cell phone in his e-mail. Gillespie stated that as he spoke with defendant, he observed two cell phones, one cell phone that defendant was using while talking about his insurance and a second gray flip phone in the vehicle's center console. From his training and experience, Gillespie knew that drug dealers would often use a secondary phone that was "not linked to their personal account" to conduct business. Additionally, he knew from his training and experience that driving a rental car could "also be an indicator of someone committing a crime."

¶ 11 Gillespie's body camera showed that after his initial conversation with defendant, and as defendant attempted to access information using his cell phone, Gillespie used his radio to ask for another officer to come to the scene. He testified he did so based upon defendant's history and the presence of the flip phone. Gillespie then informed defendant that he was going to give him "a warning" and stated as follows: "If you want to just bring your phone back here and we'll go over it by my squad car while I check your name." Defendant asked whether he was required to get out of his car and Gillespie responded that he was, "by law." Gillespie also indicated to defendant that asking a driver to get out of his or her vehicle was how he conducted all his traffic stops. After further discussion, defendant indicated he would get out of the car when "someone else" was present at the scene. Gillespie stated he would "have someone come down here," and

defendant responded that “in the meantime, [he] would be looking for [his] insurance.” Using defendant’s driver’s license, Gillespie then read defendant’s name over his radio. Gillespie testified he received an officer safety alert from his dispatcher that defendant was a person “known to carry guns.” Gillespie testified that at that point in the stop, he had concerns for his safety, specifically that “defendant might have a firearm in the vehicle.”

¶ 12 Shortly thereafter, two additional law enforcement officers arrived at the scene, and Gillespie directed defendant to exit the vehicle. After defendant appeared to make a movement toward his feet with his hands, Gillespie told him not to reach down by his feet. Gillespie testified he “didn’t want [defendant] to pull out a firearm or any other weapon.” Defendant then exited his vehicle.

¶ 13 When asked why he requested that defendant exit his vehicle during the stop, Gillespie testified as follows: “Typically, the type of traffic stop I do is just go over their information. At this point I wanted him to come back and be separated from the vehicle if there was any type of weapon in the vehicle at that time.” After defendant exited the vehicle, Gillespie patted down defendant’s waist, noting that weapons were typically kept in that area and stating he was concerned that defendant might be armed.

¶ 14 On cross-examination, Gillespie indicated it was common for him to ask drivers to exit their vehicle during a traffic stop. He asserted there were a few reasons he took such action, explaining as follows:

“One of the first [reasons] is if there is a weapon inside the vehicle, I’m separating them from the vehicle. The second reason would be so I can go over their information and it’s safe where I don’t have to go back up to the vehicle if they don’t have their insurance for example. They can just pull it up on their phone while

they're next to me and I'm checking their information by my squad car."

Gillespie acknowledged that he could check a driver's information if they remained in their vehicle but asserted that he believed that asking a driver to get out of the car was "safer" for him and "easier as well."

¶ 15 Gillespie testified he intended to issue written warning tickets to defendant but acknowledged that he did not tell defendant that the warnings would be in writing. He also acknowledged that he could have prepared the written warnings without asking defendant to get out of his vehicle. However, Gillespie denied that his "prime motivation" during the traffic stop was to get defendant out of his car so that he could search him.

¶ 16 On redirect examination, Gillespie testified that he eventually issued written warnings to defendant. He noted that a written warning included the date, time, and location of the violation, the defendant's information, the vehicle information, and the specific violation. When asked if he made drivers get out of their vehicles during every traffic stop he made, Gillespie asserted as follows: "I would say most I do but some I don't." On re-cross examination, Gillespie reiterated that he wrote warning tickets that he gave to defendant and stated the tickets "should be in [defendant's] jail property."

¶ 17 Greving testified he responded to the scene of defendant's traffic stop following a request by Gillespie. At the time of the stop, he was familiar with defendant, whose name Gillespie "ran *** over the air to dispatch." Greving testified defendant had been a suspect in a shooting that occurred in North Pekin earlier in 2023. Although defendant was ultimately determined not to have been involved in that shooting, Greving had learned defendant's name and "a little bit" of his background from that investigation. Additionally, while Greving was on his way to the scene of the traffic stop, dispatch relayed "an officer safety and weapons caution" with respect to defendant.

¶ 18 When Greving arrived at the scene, he observed Gillespie and another officer near the passenger side of defendant's vehicle. The video evidence showed defendant exited his vehicle, walked toward Greving, and put his left hand in his pocket. Greving instructed defendant to remove his hand from his pocket, and defendant indicated that only his keys were in his hand. The officers then directed defendant to walk to the back of his car. Greving testified Gillespie asked defendant if he had any weapons on him and then stepped toward defendant as if to perform a weapons pat down. The body camera footage showed Gillespie patting the front pocket area of defendant's sweatpants. Greving also approached defendant and "patted down" defendant's waistline and upper torso area. Following the pat-down search, Greving observed defendant and noticed an "unnatural bulge" in defendant's sweatpants behind his right knee that "could have been a weapon." When Greving reached to pat the area, defendant moved his leg forward like he was trying to keep his leg away from Greving. Greving stated he grabbed onto the object, which he stated "felt like a bag with a hard like crystal or rock-like substance inside of it," and he believed was "some sort of narcotics substance." Footage from Gillespie's and Greving's body cameras was consistent with Greving's testimony.

¶ 19 In rebuttal, defendant denied receiving warning tickets as a result of the traffic stop. He also testified that he had been in custody since his arrest.

¶ 20 Following the parties' arguments, the trial court took the matter under advisement. In August 2023, the court entered a written order denying defendant's motion. Relevant to this appeal, the court noted that although it was "concerned" about Gillespie's "standard procedure of having most people get out of their car on traffic stops," having drivers exit a vehicle during a traffic stop was legally permissible. Additionally, it found Gillespie "had reason to ask *** defendant to exit the vehicle," stating as follows: "[Gillespie's] knowledge of defendant's criminal

history, the bending over and reaching in the back of the car before Gillespie encountered the defendant, activity of Defendant reaching toward his ankle, the weapons danger alert provided by dispatch, car rental[,] and flip phone support having *** defendant exit the vehicle.”

¶ 21 In October 2023, defendant’s case proceeded to a jury trial, and he was found guilty of the charged offense. In November 2023, defendant filed a motion for new trial or, alternatively, a judgment notwithstanding the verdict. He argued, in part, that the trial court erred by denying his motion to suppress evidence and finding the police could lawfully order him to exit his vehicle during the traffic stop “for a ‘pat-down’ and safety check.” In December 2023, the court denied defendant’s posttrial motion and sentenced him to four years in prison. The same month, defendant filed a motion to reconsider his sentence, which the court also denied.

¶ 22 This appeal followed.

¶ 23 II. ANALYSIS

¶ 24 On appeal, defendant argues the trial court erred by denying his motion to suppress evidence. He contends he was unlawfully seized in violation of his fourth amendment rights (see U.S. Const., amend. IV) because the police impermissibly prolonged the traffic stop of his vehicle beyond the mission of the stop, *i.e.*, to investigate the traffic violations that justified the stop. Defendant maintains Gillespie “unreasonably prolonged the stop” by ordering him to exit his vehicle and “frisk[ing]” him. He seeks reversal of his conviction, arguing the State cannot proceed without the evidence procured from the stop and as a result of his unlawful seizure.

¶ 25 “A circuit court’s ruling on a motion to suppress presents questions of both fact and law.” *People v. Manzo*, 2018 IL 122761, ¶ 25, 129 N.E.3d 1141. On review, the court’s factual findings are given deference and subject to reversal only if they are against the manifest weight of the evidence. *Id.* “If the reviewing court accepts the *** court’s factual findings, it conducts a

de novo review of whether suppression was appropriate under those facts.” *Id.*

¶ 26 “The fourth amendment prohibits unreasonable seizures.” *People v. Bass*, 2021 IL 125434, ¶ 15, 182 N.E.3d 714. A traffic stop is a seizure of the occupants of the stopped vehicle and is “analogous to a so-called *Terry* stop [(*Terry v. Ohio*, 392 U.S. 1 (1968))].” *Id.* “Determining the reasonableness of a *Terry* stop involves a dual inquiry: ‘whether the officer’s action was justified at its inception, and whether it was reasonably related in scope to the circumstances which justified the interference in the first place.’ ” *Id.* (quoting *Terry*, 392 U.S. at 19-20).

¶ 27 “A seizure for a traffic violation justifies a police investigation of that violation.” *Rodriguez v. United States*, 575 U.S. 348, 354 (2015). “Like a *Terry* stop, the tolerable duration of police inquiries in the traffic-stop context is determined by the seizure’s ‘mission’ .” *Id.* The mission of a traffic stop includes (1) addressing the traffic violation that warranted the stop and (2) attending to related safety concerns. *Id.* Thus, “ ‘ordinary inquiries incident to [the traffic] stop’ ” include “checking the driver’s license, determining whether there are outstanding warrants against the driver, and inspecting the automobile’s registration and proof of insurance.” *Id.* at 355 (quoting *Illinois v. Caballes*, 543 U.S. 405, 408 (2005)). Additionally, an officer’s “safety interest stems from the mission of the stop itself.” *Id.* at 356. “Traffic stops are especially fraught with danger to police officers, [citation], so an officer may need to take certain negligibly burdensome precautions in order to complete his mission safely.” (Internal quotation marks omitted.) *Id.*

¶ 28 “A lawfully initiated traffic stop may violate the fourth amendment if it is prolonged beyond the time reasonably required to complete its mission and attend to related safety concerns.” *Bass*, 2021 IL 125434, ¶ 16. “Authority for [a traffic stop] seizure *** ends when tasks tied to the traffic infraction are—or reasonably should have been—completed.” *Rodriguez*, 575 U.S. at 354; see *People v. Musgrave*, 2019 IL App (4th) 170106, ¶ 38, 141 N.E.3d 320 (“Generally, a [valid]

traffic stop ends when the paperwork of the driver and any passengers has been returned to them and the purpose of the stop has been resolved.” (Internal quotation marks omitted.)). “[O]fficers cannot lawfully pursue unrelated investigations after quickly completing the mission by claiming that the overall duration of the stop remained reasonable, nor by waiting to resolve the mission (such as by writing a ticket or giving a verbal warning) until unrelated inquiries are completed.” *Bass*, 2021 IL 125434, ¶ 20. “The critical question is not the order in which events occur but, rather, whether the stop is prolonged beyond the point at which the original mission should have been completed.” *Id.*

¶ 29 On appeal, defendant does not dispute that the traffic stop was lawful at its inception. Instead, he argues that the stop was unlawfully prolonged beyond its mission because Gillespie ordered him out of his vehicle *after* concluding his investigation into defendant’s alleged traffic violations. We disagree.

¶ 30 “[I]t is well established that following a lawful traffic stop, police may, as a matter of course, order the driver and any passengers out of the vehicle pending completion of the stop without violating the protections of the fourth amendment.” *People v. Sorenson*, 196 Ill. 2d 425, 433, 752 N.E.2d 1078, 1084 (2001); *People v. Gonzalez*, 184 Ill. 2d 402, 413-14, 704 N.E.2d 375, 380 (1998) (same); *Pennsylvania v. Mimms*, 434 U.S. 106, 111 n.6 (1977) (“We hold *** that once a motor vehicle has been lawfully detained for a traffic violation, the police officers may order the driver to get out of the vehicle without violating the Fourth Amendment’s proscription of unreasonable searches and seizures.”). In particular, in *Mimms*, the Supreme Court considered an officer’s “practice to order all drivers out of their vehicles as a matter of course whenever they had been stopped for a traffic violation.” *Mimms*, 434 U.S. at 109-10. In finding no fourth amendment violation, the court stated that there were legitimate and important safety interests that justified

such an order and that any intrusion into the driver's personal liberty was "*de minimis*." *Id.* at 110-11.

¶ 31 Here, Gillespie had the authority to order defendant out of his vehicle during the traffic stop. Further, the evidence presented, including the body camera footage, showed Gillespie's request was made during the course of his investigation into the traffic stop and not after his investigation was, or should have been, concluded. When Gillespie asked defendant to get out of the vehicle, defendant was still searching for information on his cell phone related to his insurance and his rental agreement. Gillespie told defendant to "bring [his] phone" with him and indicated he could continue to look for his information while Gillespie "check[ed]" defendant's name. Additionally, although Gillespie indicated he would issue defendant a warning, he testified it was his intention to issue written warning tickets, which had not yet been written. Accordingly, there were several tasks related to the mission of the stop that had not been completed when Gillespie asked defendant to step out of the vehicle.

¶ 32 To support his argument on appeal, defendant cites this court's decision in *People v. Miller*, 345 Ill. App. 3d 836, 803 N.E.2d 610 (2004). There, the defendant moved to suppress evidence against him following a traffic stop that resulted in several drug-related charges. *Id.* 837-38. Evidence in the case showed an officer pulled the defendant over for a defective muffler. *Id.* at 838. During the stop, the officer obtained the defendant's driver's license and insurance information, which he took to his squad car. *Id.* After determining that the defendant had a valid license, he wrote the defendant a warning ticket for the defective muffler and then returned to the defendant's vehicle. *Id.* Video evidence indicated the officer asked the defendant to exit the vehicle before giving him any documents. *Id.* at 839. Ultimately, the defendant complied with the officer's request, resulting in searches of both his person and vehicle and the discovery of cannabis and

drug paraphernalia. *Id.* at 838. The trial court granted the defendant’s motion to suppress, and the State appealed. *Id.* at 840.

¶ 33 On review, we affirmed the trial court’s judgment, finding the traffic stop was “complete” when the officer requested that the defendant exit the vehicle. *Id.* at 842. We stated that at the time the officer returned to the defendant’s vehicle, “he had completed his determination of the motor vehicle offense and verification of [the] defendant’s driver’s license and insurance information” and “had nothing else to do at that point other than return [the] defendant’s documents to him.” (Emphasis omitted.) *Id.* We noted that following a valid traffic stop, “[t]he scope of the permissible ‘seizure’ of [a] defendant” is limited “to the traffic offense, absent other articulable facts to justify prolonging the seizure.” *Id.* We further stated as follows:

“The videotape here shows that while [the officer] had nothing more to do to complete the traffic stop, he held on to [the] defendant’s documents, thereby preventing him from leaving. [Citation.] His request for [the] defendant to exit the car therefore was *** without articulable facts justifying a *Terry* investigative seizure. The subsequent search is therefore tainted, and the fruits thereof were properly suppressed. [Citation.]” *Id.* at 843.

¶ 34 The present case is factually distinguishable from *Miller*. As expressed above, Gillespie’s investigation of the traffic stop was ongoing and not completed when he asked defendant to exit his vehicle. The video evidence showed that although Gillespie had obtained defendant’s driver’s license and asked him some initial questions, he had yet to verify that defendant had insurance, verify the validity of defendant’s driver’s license, run a “check” of defendant’s name, or write any warning tickets for the traffic violations at issue. Accordingly, *Miller* is inapplicable to the facts of this case and does not require reversal of the trial court’s denial

of defendant's motion to suppress.

¶ 35 Defendant further argues that although it is permissible for an officer to order a driver out of a vehicle during a traffic stop as a "safety measure," Gillespie did so "for his own convenience," rendering his seizure of defendant unlawful. To support his contention, defendant cites *State v. McCaulley*, 161 Ohio App. 3d 568, ¶ 11, 831 N.E.2d 474 (2005), an Ohio appellate court case, for the proposition that placing a driver in a patrol car during a routine traffic stop cannot be justified if it is done for officer convenience rather than for safety concerns.

¶ 36 In *McCaulley*, the reviewing court noted that it was "well established that ordering a driver out of his or her car during a traffic stop is permissible because such a procedure promotes officer safety while inflicting a minimal intrusion into the driver's personal liberty." *Id.* However, it concluded that "taking the additional step of placing a driver in a patrol car during a routine traffic stop—and the pat-down search that would normally precede such a step—increases the intrusive nature of the detention and must be justified by reasons beyond those that necessitated the traffic stop." *Id.* The court held that "[a]n officer's convenience *** will not justify placing a driver in the rear of a cruiser." *Id.*

¶ 37 Again, we find defendant's case authority is distinguishable. Here, Gillespie ordered defendant out of his vehicle and directed him to stand at the rear of that vehicle. He did not place defendant inside his squad car. Accordingly, *McCaulley* is inapplicable to the factual circumstances of this case.

¶ 38 Further, we note that the record in this case does contain evidence that Gillespie had safety concerns related to defendant when ordering him from his vehicle. In particular, Gillespie testified he wanted defendant to be "separated from the vehicle if there was any type of weapon in the vehicle." He also testified that he typically ordered drivers from their vehicles during

a stop so he could “go over their information and it’s safe where [he did not] have to go back up to the vehicle.” As noted, in *Mimms*, the Supreme Court addressed a situation where it was an officer’s “practice to order all drivers out of their vehicles as a matter of course whenever they had been stopped for a traffic violation” and the officer had “no reason to suspect foul play from the [defendant] driver at the time of the [challenged] stop.” *Mimms*, 434 U.S. 106, 109-10. The State argued that the officer’s “practice was adopted as a precautionary measure to afford a degree of protection to the officer,” and the Supreme Court determined that the justification of officer safety was “both legitimate and weighty.” *Id.* at 110. It noted both the dangers that police officers face when confronting individuals during a traffic stop and the hazards of accidental injury from passing traffic. *Id.* 110-11. Here, consistent with *Mimms*, Gillespie was authorized to order defendant to exit his vehicle during the traffic stop, and such action did not violate defendant’s fourth amendment rights.

¶ 39 On appeal, defendant further suggests Gillespie and Greving lacked justification for the pat-down search, or frisk, of his person because the underlying circumstances did not support a reasonable belief that he was armed and dangerous. We note an “officer may subject [a] person to a limited search for weapons, commonly referred to as a ‘frisk,’ only if the officer reasonably believes that the person is armed and dangerous.” *Sorenson*, 196 Ill. 2d at 433; *Arizona v. Johnson*, 555 U.S. 323, 327 (2009) (“To justify a pat[]down of the driver *** during a traffic stop, *** the police must harbor reasonable suspicion that the person subjected to the frisk is armed and dangerous.”); *People v. Sutton*, 2020 IL App (1st) 181616, ¶ 21, 190 N.E.3d 830 (stating a driver “may be subjected to a protective pat-down or frisk only where an officer has reasonable suspicion to believe that the individual being frisked is armed and dangerous”).

¶ 40 Here, evidence showed that when he first approached defendant’s vehicle, Gillespie

noticed defendant reaching toward the vehicle's back seat. Gillespie also recognized defendant and was familiar with his criminal history, which included multiple gun-related charges. While speaking with defendant, Gillespie observed that defendant had two cell phones. Gillespie testified he had learned from other officers that defendant "was involved in drug sales" and that he knew from his training and experience that drug dealers would often use a secondary phone. Additionally, defendant was driving a rental vehicle, which Gillespie testified could be an indicator of criminal activity. See *Sorenson*, 196 Ill. 2d at 438 (noting "weapons and violence frequently are associated with drug transactions"). Moreover, the evidence also showed that after Gillespie asked defendant to exit the vehicle but prior to any pat-down search, Gillespie received a safety alert from his dispatcher that defendant was a person "known to carry guns." Further, just before defendant exited his vehicle, Gillespie observed defendant reaching toward his feet. We find these circumstances, when taken together, were sufficient to support a reasonable suspicion that defendant was armed and dangerous and justified the pat-down search conducted by Gillespie and Greving.

¶ 41 Finally, we note that after the officers' initial pat-down search of defendant's waist and torso area was completed, Greving observed an unnatural bulge in defendant's clothing behind his right knee, which Greving thought could have been a weapon. "A characteristic bulge in a validly stopped suspect's clothing is a circumstance which is generally sufficient to warrant a frisk." *People v. Morales*, 221 Ill. App. 3d 13, 18, 581 N.E.2d 730, 734 (1991). Again, the bulge, when considered together with the other circumstances of the stop, which included the dispatcher's safety alert heard by both Gillespie and Greving, supported a reasonable suspicion that defendant was armed and dangerous. Under the circumstances presented, we find no error by the trial court in denying defendant's motion to suppress.

¶ 42

III. CONCLUSION

¶ 43

For the reasons stated, we affirm the trial court's judgment.

¶ 44

Affirmed.