

FIRST DISTRICT COURT OF APPEAL
STATE OF FLORIDA

No. 1D2025-3040

DEMETRAS BERNELL PARISH,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

On appeal from the Circuit Court for Escambia County.
John L. Miller, Judge.

September 23, 2026

LONG, J.

Appellant, Demetras Parish, challenges the denial of the dispositive motion to suppress underlying his convictions and sentences for possession of a firearm as a convicted felon, possession of a controlled substance (two counts), and resisting a law enforcement officer without violence. He argues that the dispositive evidence against him was obtained because he was unlawfully ordered to exit his vehicle during a traffic stop to enable a K-9 search, the lawfulness of which he otherwise concedes.

To support his theory that the exit order was unlawful, Parish cites *State v. Creller*, 386 So. 3d 487 (Fla. 2024), where the Florida Supreme Court held that “a K-9 officer may order a driver to exit a vehicle during a lawful traffic stop for officer safety reasons.”

Creller, 386 So. 3d at 492. Parish focuses on the “for officer safety reasons” language and argues that this condition was not met because the law enforcement officer who ordered him to exit had no particularized basis for thinking that he was a threat.

Parish misreads the “for officer safety reasons” condition discussed in *Creller*. A law enforcement officer does not need a special reason or an additional particularized basis to order a person to exit his vehicle. *See generally id.* at 491–95. Rather, without more, “an officer making a traffic stop may order [people] to get out of the car pending completion of the stop.” *Maryland v. Wilson*, 519 U.S. 408, 415 (1997). This is permitted because approaching a person seated inside a vehicle during a traffic stop is dangerous enough that a law enforcement officer always has a “safety reason” to order the person to exit. *See Creller*, 386 So. 3d at 492 (citing *Pennsylvania v. Mimms*, 434 U.S. 106, 109–11 (1977)). In other words, the “for officer safety reasons” is not a condition that the State needs to prove in every case. Rather, it is the justification for the straightforward rule that a law enforcement officer may order a person out of a car during a traffic stop. The exit order in this case was, therefore, lawful.

AFFIRMED.

ROWE and BILBREY, JJ., concur.

Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331.

Jessica J. Yeary, Public Defender, and Jasmine R. Dixon, Assistant Public Defender, Tallahassee, for Appellant.

James Uthmeier, Attorney General, and Brian Hofer, Assistant Attorney General, Tallahassee, for Appellee.