

02-1019 ARIZONA v. GANT

Ruling below: Ariz. Ct. App., 43 P.3d 188.

QUESTION PRESENTED

When police arrest the recent occupant of a vehicle outside the vehicle, are they precluded from searching the vehicle pursuant to *New York v. Belton* unless the arrestee was actually or constructively aware of the police before getting out of the vehicle?

CERT. GRANTED: 4/21/03