

# Digital Evidence and the Fourth Amendment

By Jaime Healy-Plotkin

## Wisconsin

### [Wisconsin practice series](#)

KFW 2930 .W644

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### [Criminal Law-Sentencing Institute](#)

Director of State Courts, Judicial Education

KFW 2961 .A75 C74

2019 Institute materials include *Digital evidence & the 4th amendment*

## General

### [American jurisprudence](#). 2d edition

KF 154 .A45 A2, Also available in Westlaw

Topics include Computers and the Internet and Constitutional Right to Privacy

### [Cyber crime and digital evidence](#), by Thomas K. Clancy

KF 8947.5 .C58 2019

### [Digital evidence in the courtroom: a guide for law enforcement and prosecutors](#)

U.S. Dept. of Justice

KF 9660 .D53 2007, Also on HeinOnline, and online

### [The discovery revolution: e-discovery amendments to the Federal rules of civil procedure](#), by

George L. Paul and Bruce H. Nearon

KF 9650 .P38 2006

### [eDiscovery & Digital Evidence](#), by Jay E. Grenig and William C. Gleisner, III

KF 8947.5 .E35 2019, Also available in Westlaw

### [Electronic discovery and digital evidence in a nutshell](#), by Shira A. Scheindlin, Daniel J. Capra,

The Sedona Conference

KF 8902 .E42 S34 2009

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[The Fourth Amendment: its history and interpretation](#), by Thomas K. Clancy. Third edition  
KF 9630 .C53 2017

[The Fourth Amendment: origins and original meaning, 602-1791](#), by William J. Cuddihy  
KF 9630 .C83 2009

[The future of evidence: how science & technology will change the practice of law](#), edited by  
Carol Henderson & Jules Epstein  
KF 8935 .F88 2011

[Jones on evidence, civil and criminal](#)  
KF 8935 .J6 F5

[The law of artificial intelligence and smart machines: understanding A.I. and the legal impact](#),  
edited by Theodore F. Claypoole  
KF 390.5 .C6 L39 2019

[Managing discovery of electronic information: a pocket guide for judges](#), by Barbara J.  
Rothstein, Ronald J. Hedges, and Elizabeth C. Wiggins  
Available online and in LLMC Digital

[Searches, seizures, and warrants: a reference guide to the United States Constitution](#), by Robert  
M. Bloom  
KF 9630 .B53 2003

[Search and seizure: a treatise on the Fourth Amendment](#), by Wayne R. LaFave  
KF 9630 .L34 S4 2012, Also available in Westlaw

## Case law

[State v. Carroll](#) 322 Wis.2d 299

[State v. Tate](#) 357 Wis.2d 172

[State v. Rindfleisch](#) 359 Wis.2d 147

[Carpenter v. United States](#) 138 S.Ct. 2206

[State v. Subdiaz-Osorio](#) 357 Wis.2d 41

[Riley v. California](#) 134 S.Ct. 2473

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# Digital Evidence and the Fourth Amendment

## Articles

Ashley B. Snyder, *The Fourth Amendment and Warrantless Cell Phone Searches: When is Your Cell Phone Protected*, 46 [Wake Forest L. Rev.](#) 155 (2011). Available in HeinOnline, Index to Legal Periodicals, and Westlaw

Bihter Ozedirne, *Fourth Amendment Particularity in the Cloud*, 33 [Berkeley Tech. L.J.](#) 1223 (2018) Available in Academic Search Premier, Business Source Premier, HeinOnline, and Westlaw

Carly M. Sherman, *The Private Search Doctrine and Electronic Evidence: A New Approach to Tailor the Fourth Amendment Exception in the Context of Personal Computers*, 42 [U. Dayton L. Rev.](#) 307 (2017) Available in HeinOnline and Westlaw

Chris Cook, *Cross-Border Data Access and Active Cyber Defense: Assessing Legislative Options for A New International Cybersecurity Rulebook*, 29 [Stan. L. & Pol'y Rev.](#) 205 (2018) Available in HeinOnline and Westlaw

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Kaitlyn R. O'Leary, *What the Founders Did Not See Coming: The Fourth Amendment, Digital Evidence, and the Plain View Doctrine*, 46 [Suffolk U. L. Rev.](#) 211 (2013) Available in HeinOnline and Westlaw

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Major Paul M. Ervasti, *Is the Particularity Requirement of the Fourth Amendment Particular Enough for Digital Evidence?*, 2015 [Army Law](#) 3 (2015) Available in HeinOnline, Index to Legal Periodicals, and Westlaw

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Margaret Hu, *Cybersurveillance Intrusions and an Evolving Katz Privacy Test*, 55 [Am. Crim. L. Rev.](#) 127 (2018) Available in HeinOnline and Westlaw

Meg Leta Jones, JD, PhD, *Does Technology Drive Law? The Dilemma of Technological Exceptionalism in Cyberlaw*, [U. Ill. J.L. Tech. & Pol'y](#), Fall 2018, at 249. Available in HeinOnline and Westlaw

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Roderick O'Dorisio, *"You've Got Mail!" Decoding the Bits and Bytes of Fourth Amendment Computer Searches After Ackerman*, 94 [Denv. L. Rev.](#) 651 (2017) Available in Index to Legal Periodicals and Westlaw

Stephen E. Henderson, *Carpenter v. United States and the Fourth Amendment: The Best Way Forward*, 26 [Wm. & Mary Bill Rts. J.](#) 495 (2017) Available in HeinOnline and Westlaw

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## Online Resources

### [Expert Witnesses Annual](#)

Available in HeinOnline and Index to Periodicals

Covers law practices related to retaining, interviewing and evaluating expert witnesses and preparing expert witness testimony.

### [Digital Evidence and Electronic Signature Law Review](#)

Available in HeinOnline

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