

TABLE OF CASES

Council of Europe

App. No. 39757/15, European Court of Human Rights, June 4, 2019, *Sigurður Einarsson v. Iceland*, 243

European Union

C-520/18, Advocate General, 15 January 2020, *Ordre des barreaux francophones et germanophone*, ECLI:EU:C:2020:7, 200

C-623/17, Court of Justice of the European Union, October 6, 2020, *Privacy International v. Secretary of State for Foreign and Commonwealth Affairs*, ECLI:EU:C:2020:790, 200

Joint Cases C-511/18, Court of Justice of the European Union, *La Quadrature du Net*, Case C-512/18, French Data Network, October 6, 2020, ECLI:EU:C:2020:6, 200

C-658/19, Court of Justice of the European Union, February 25, 2021, *Commission v Spain* (Directive données à caractère personnel - Domaine pénal), ECLI:EU:C:2021:138, 237

Germany

Bundesgerichtshof (Federal Court of Justice), March 1, 2018 – 4 StR 399/17, ECLI:DE:BGH:2017:010317U4SR399.17.0, 351

Bundesgerichtshof (Federal Court of Justice), June 18, 2020 – 4 StR 482/19, ECLI:DE:BGH:2020:180620U4STR482.19.0, 351

Bundesverfassungsgericht (Federal Constitutional Court) November 12, 2020, 2 BvR 1616/18, ECLI:DE:BVerfG:2020:rk20201112.2bvr161618, 174

Landgericht Berlin (District Court Berlin), February 27, 2017, 535 Ks 8/16, (535 Ks) 251 Js 52/16 (8/16), 351

Netherlands

Gerechtshof Amsterdam (Court of Appeal Amsterdam), December 14, 2018, ECLI:NL:GHAMS:2018:4620, 240

- Gerechtshof Arnhem-Leeuwarden* (Court of Appeal Arnhem-Leeuwarden), July 31, 2019, ECLI:NL:GHARL:2019:6122, 345
- Hoge Raad* (Supreme Court), October 15, 1996, ECLI:NL:HR:1996:ZD0139, 351
- Hoge Raad* (Supreme Court), January 17, 2006, ECLI:NL:HR:2006:AU3447, 336
- Hoge Raad* (Supreme Court), July 1, 2014, NJ 2015, ECLI:NL:HR:2014:1563, 229
- Hoge Raad* (Supreme Court), July 7, 2015, NJ 2015, ECLI:NL:HR:2015:1817, 238
- Hoge Raad* (Supreme Court), April 4, 2017, NJ 2017, ECLI:NL:HR:2017:584, 228, 229
- Rechtbank Amsterdam* (Court of Amsterdam), April 19, 2018, ECLI:NL:RBAMS:2018:2504, 240, 241
- Rechtbank Amsterdam* (Court of Amsterdam), April 1, 2021, ECLI:NL:RBAMS:2021:1507, 241
- Rechtbank Midden-Nederland* (County Court Midden-Nederland), November 22, 2018, ECLI:NL:RBMNE:2018:5707, 344
- Rechtbank Oost-Brabant* (District Court Oost-Brabant), September 3, 2019, ECLI:NL:RBOBR:2019:5057, 356

Norway

- Borgarting Lagmannsrett* (Borgarting Court of Appeal), LB-2010-201611, 288, 300
- Norges Høyesterett* (Supreme Court of Norway), HR-2012-919-A–Rt-2012-686, 288
- Oslo Tingrett* (Oslo District Court), TOSLO-2010-94868, 288, 293

Switzerland

- Bundesgericht* (Federal Court), June 14, 1938, BGE 64 II 200, 56
- Bundesgericht* (Federal Court), February 20, 1940, BGE 66 II 34, 56
- Bundesgericht* (Federal Court), July 10, 1947, BGE 73 IV 180, 55
- Bundesgericht* (Federal Court), February 26, 1954, BGE 80 IV 49, 55
- Bundesgericht* (Federal Court), September 25, 1980, BGE 106 IV 264, 55
- Bundesgericht* (Federal Court), October 21, 1980, BGE 106 IV 312, 55
- Bundesgericht* (Federal Court), November 3, 1987, BGE 113 II 429, 56
- Bundesgericht* (Federal Court), May 17, 1989, BGE 115 Ib 175, 49, 55
- Bundesgericht* (Federal Court), December 4, 1989, BGE 115 IV 239, 66
- Bundesgericht* (Federal Court), October 23, 1990, BGE 116 II 519, 56, 61
- Bundesgericht* (Federal Court), December 11, 1990, BGE 116 IV 308, 54
- Bundesgericht* (Federal Court), January 16, 1992, BGE 118 IV 133, 54
- Bundesgericht* (Federal Court), September 1, 1992, BGE 118 IV 277, 66
- Bundesgericht* (Federal Court), December 27, 1993, BGE 119 II 456, 59
- Bundesgericht* (Federal Court), July 29, 1994, BGE 120 II 248, 56
- Bundesgericht* (Federal Court), September 21, 1994, BGE 120 IV 300, 66, 67
- Bundesgericht* (Federal Court), October 25, 1994, BGE 120 Ib 411, 56
- Bundesgericht* (Federal Court), February 20, 1995, BGE 121 IV 14, 54

- Bundesgericht* (Federal Court), March 2, 1999, BGE 125 IV 83, 66, 67
Bundesgericht (Federal Court), November 30, 2000, BGE 127 IV 44, 54
Bundesgericht (Federal Court), February 28, 2001, BGE 2A.504/2000, 58
Bundesgericht (Federal Court), May 26, 2003, BGE 129 IV 282, 66
Bundesgericht (Federal Court), November 28, 2003, BGE 130 IV 7, 56–58
Bundesgericht (Federal Court), February 9, 2007, BGE 133 III 121, 49, 55, 56
Bundesgericht (Federal Court), April 24, 2008, BGE 134 IV 175, 56
Bundesgericht (Federal Court), February 3, 2009, BGE 135 IV 70, 55
Bundesgericht (Federal Court), February 25, 2013, BGE 139 III 252, 49, 55
Bundesgericht (Federal Court), August 19, 2015, BGE 141 III 363, 59
Bundesverwaltungsgericht (Federal Administrative Court), September 17, 2018,
 C-669/2016, 58
Obergericht Kanton Zürich (Upper Court of Zurich) November 10, 2016, SB160168-
 O/U/cwo, 187

United Kingdom

- Entick v. Carrington, 95 Eng. Rep. 807 (KB 1765), 263, 270–272, 275
 Wilkes v. Wood, 8 Eng. Rep. 489 (CP 1763), 263, 271–273

United States

- Ake v. Oklahoma, 470 U.S. 68 (1986), 158
 Bell v. Clapp, 10 Johns R. 263 (NY 1813), 270
 Blackman v. United States, No. CIV.A. 2:12-02509, 2014 WL 1155444 (DNJ Mar. 21,
 2014), 199
 Brady v. Maryland, 373 U.S. 83 (1963), 209
 Burdeau v. McDowell, 256 U.S. 465 (1921), 261
 California Bankers Association v. Shultz, 416 U.S. 21 (1974), 259
 Carpenter v. United States, 138 S.Ct. 2206 (2018), 200, 262, 265, 266, 276
 Clapper v. Amnesty International, 568 U.S. 398 (2013), 259
 Commonwealth v. Dana, 43 Mass. (2 Met.) 329 (1841), 264
 Cooper v. Griffin, 16-CV-0629 (VEC) (BCM), 2019 WL 1026303 (SDNY Feb. 11, 2019), 200
 Cooper v. Griffin, 2019 WL 1014937 (SDNY Mar. 4, 2019), 200
 Daubert v. Merrell Dow Pharmaceuticals, Inc., 509 U.S. 579 (1993), 146
 Davis v. United States, 564 U.S. 229 (2011), 264
 District of Columbia v. Heller, 554 U.S. 570 (2008), 263
 Elkins v. United States, 364 U.S. 206 (1960), 264
 Ellwest Stereo Theaters, Inc. v. Wenner, 681 F.3d 1243 (1982), 259
 Facebook, Inc. v. Superior Court, 471 P.3d 383, 387 (Cal. 2020), 196, 203
 Frisbie v. Butler, 1 Kirby 213 (Conn. 1787), 273
 Frye v. United States, 293 F. 1013 (DC Cir. 1923), 146

- Gregory v. United States, 369 F.2d 185 (DC Cir. 1966), 153
- Grumon v. Raymond, 1 Conn. 40 (1814), 270, 273
- Harrison v. Baker, No. 3:18CV85-HEH, 2019 WL 404974 (ED Va. Jan. 31, 2019), 199
- Holmes v. South Carolina, 547 U.S. 319 (2006), 159
- In re. Facebook (Hunter), 417 P.3d 725 (Cal. 2018), 203
- In re. Oliver, 333 U.S. 257 (1948), 157
- In the Interest of R.A.P., a Minor Appeal of R.A.P., No. 930 WDA 2019, 2020 WL 1910515 (Pa. Super. Ct. Apr. 20, 2020), 202
- Jackson v. Lee, 10-CIV-3062 (LAK) (AJP), 2010 WL 4628013 (SDNY Nov. 16, 2010), 200
- Jackson v. Lee, 10-CIV-3062 (LAK), 2010 WL 5094415 (SDNY Dec. 10, 2010), 200
- Johnson v. United States, 33 U.S. 10 (1948), 265, 269
- Katz v. United States, 389 U.S. 347 (1967), 254, 256
- Kyllo v. United States, 533 U.S. 27 (2001), 276
- Leaders of a Beautiful Struggle and others v. Baltimore Police Department, 2 F.4th 330 (4th Cir. 2021), 208
- Los Angeles v. Lyons, 461 U.S. 95 (1983), 258
- Manson v. Brathwaite, 432 U.S. 98 (1977), 146
- Microsoft Corp. v. United States Dept. of Justice, No. C16-0538JLR (W. Dist. Wash., Feb. 8, 2017), 260
- New York Central & Hudson River Railroad Co. v. United States, 212 U.S. 481 (1909), 79
- O'Grady v. Superior Court, 44 Cal.Rptr.3d 72 (2006), 213
- People v. Adams, 131 Cal. Rptr. 190 (Ct. App. 1976), 149
- People v. Butler, 61 Misc.3d 1009 (NY Sup. Ct. 2018), 209
- People v. Harris, 945 N.Y.S.2d 505 (NY Crim. Ct. 2012), 260
- People v. Hillary, No. 2015–15 (New York County Court of St Lawrence, May 27, 2016), 147
- People v. Jovanovic, 176 Misc.2d 729, 730 (NY Sup. Ct. 1997), rev'd 263 A.D.2d 182 (NY App. Div. 1999), 700 N.Y.S.2d 156 (1999), 202
- People v. Lopez, 286 P.3d 469 (Cal. 2012), 149
- People v. Swygert, 57 Misc. 3d 913 (NY Crim. Ct. 2017), 209
- People v. Wells, No. A112173, 2007 WL 466963 (Cal. Ct. App. Feb. 14, 2007), as modified on denial of reh'g (Mar. 13, 2007), 200
- Quinones v. United States, 2020 WL 1509386 (SD W. Va. Jan. 9, 2020), 199
- Rakas v. Illinois, 439 U.S. 128 (1978), 256
- Rochin v. California, 342 U.S. 165 (1952), 164
- Shelley v. Kraemer, 334 U.S. 1 (1948), 275
- Smith v. Bouchier, 2 Stra. 993 (1766), 270
- State v. Bray, 383 P.3d 883 (Ct. Ap. Oreg. 2016), 204
- State v. Chun, 943 A.2d 114 (NJ 2008), 147, 148
- State v. Fair, No. 10-1-09274-5 (Wash. Sup. Ct. April 1, 2016), 154
- State v. Henderson, 27 A.3d 872 (NJ 2011), 146
- State of Arizona v. Rafael Stuart Vasquez, Indictment 785 GJ 251, Superior Court of the State of Arizona in and for the County of Maricopa (August 27, 2020), 24

- Stone v. Powell, 428 U.S. 465 (1976), 264
- Turcotte v. Dir. of Revenue, 829 S.W.2d 494 (Mo. Ct. App. 1992), 156
- United States v. Calandra, 414 U.S. 338 (1974), 264
- United States v. Di Re, 332 U.S. 581 (1948), 265
- United States v. Gissantaner, 417 F. Supp.3d 857 (WD Mich. 2019), 211
- United States v. Janis, 428 U.S. 433 (1976), 264
- United States v. Jones, 565 U.S. 400 (2012), 255
- United States v. La Jeune Eugenie, 26 F. Cas. 832 (CCD Mass. 1822), 264
- United States v. Leon, 468 U.S. 897 (1984), 264, 265
- United States v. Liebert, 519 F.2d 542 (3d Cir. 1975), 155
- United States v. Lizarraga-Tirado, 789 F.3d 1107 (9th Cir. 2015), 149
- United States v. Medina, 918 F.3d 774 (10th Cir.), cert. denied, 139 S. Ct. 2706 (2019), 199
- United States v. Payner, 434 F. Supp. 113 (1977), 257
- United States v. Payner, 447 U.S. 727 (1980), 256
- United States v. Scott, No. 2:17-CR-20489-TGB, 2018 WL 2197911 (ED Mich. May 14, 2018), 194
- United States v. Smith, 2017 WL 11461003 (D. NH 2017), 205
- Walters v. State, 206 So. 3d 524 (Miss. 2016), 204
- Williams v. Davis, No. 3:15-CV-331-M (BH), 2017 WL 1155855 (ND Tex. Feb. 13, 2017), 201
- Williams v. Davis, No. 3:15-CV-331-M, 2017 WL 1155845 (ND Tex. Mar. 27, 2017), 201