

McGee Civil Rights Competition 2025

Problem Overview

You are counsel arguing *Nez v. McGee*, on interlocutory appeal, a 2023 decision of the United States District Court for the State of McGee. The Plaintiff, Cheyenne Nez, seeks reversal of the trial court's order denying suppression of all evidence acquired through a geofencing warrant in Cheyenne Nez's criminal case.

Fourth-Amendment Claims

- 1) Under the fact pattern and context of this case did the information gained from Google implicate the Fourth Amendment?
- 2) If the cell location data in this case implicated the Fourth Amendment, did the geofencing warrant in this matter violate the Fourth Amendment's probable cause requirement?
- 3) Are officers who seek geo-fencing warrants still protected by the good-faith exception due to the novel nature of geo-fencing warrants?

Each team must address all three questions. Briefing and argument must be limited to the above issues and parties should not address other procedural issues or constitutional issues not explicitly raised here.

The District of McGee is within the fictional Fourteenth Circuit. Rulings of the Supreme Court are, of course, binding precedent. Decisions of other federal districts and state courts may be persuasive but are not binding.

****Prof. Jared Mollenkopf, Mitchell Hamline School of Law, developed the Nez v. McGee problem.*