

Recent Decisions “Wrap-Up”: Updates & Practical Impacts from the Supreme Court and Circuit Courts

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Harbor Healthcare Sys., L.P. v. United States 5 F.4th 593, 595 (5th Cir. 2021)

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Harbor Healthcare Sys., L.P. v. United States

- Held that the Fifth Circuit had jurisdiction to consider Rule 41(g) dispute and that government had to return seized property.
- The Fifth Circuit concluded the government had exhibited a “callous disregard” for Harbor Healthcare’s rights by (1) making no attempt to respect the attorney-client privilege even though it knew the director of compliance’s office and computer contained privileged materials and (2) retaining materials that the government had already identified as privileged.

United States v. Morton

984 F.3d 421 (5th Cir. 2021)

United States v. Morton

- Held that the district court should have suppressed child pornography that officers seized from a defendant's cell phone pursuant to a search warrant, because there was not probable cause to search a specific category of files on the phone.
- The court found that the affidavit an officer submitted to obtain the warrant supplied probable cause for a search of Morton's contacts and call logs, but not for a search of his photographs

United States v. Dubin

982 F.3d 318 (5th Cir. 2020)

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