

## Pierre Grosdidier in Bloomberg BNA on Mobile Device Privacy

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**PRACTICES** Litigation, Privacy and Cybersecurity

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*Bloomberg BNA* quoted Haynes Boone Counsel Pierre Grosdidier in a report on a case involving whether law enforcement needs warrants to search mobile device geolocation data.

*Bloomberg BNA* [reported](#) that the parties in *Carpenter v. United States* sparred Nov. 29 before the Supreme Court over the application of the third-party doctrine, which holds that individuals don't have a reasonable expectation of privacy in information they voluntarily disclose to third parties, such as bank records given to financial institutions. The government argued that under the doctrine, location data consumers transmit to their mobile service carriers is available to law enforcement without a warrant. Some Supreme Court Justices made comments during their questioning that indicated a willingness to consider better protecting digital privacy. ...

The case involves Timothy Ivory Carpenter, who is seeking to overturn his conviction for taking part in a string of armed robberies of Detroit-area Radio Shacks and T-Mobile US Inc. stores. At trial, prosecutors used four months of data obtained from Carpenter's wireless carriers to show he was within a half-mile to two miles of the location of four of the robberies when they occurred. ...

*Bloomberg BNA* reported that even a modification of the third-party doctrine in the context of mobile phone geolocation data would have significant effects. ...

Technology is changing rapidly, so other privacy issues related to mobile device data are likely to come up, Pierre Grosdidier, privacy litigation counsel at Haynes Boone in Houston, told *Bloomberg Law* Nov. 30. "This isn't the end in a long line of complex and sophisticated privacy cases," he said.

The high court's decision may significantly impact the operations of internet of things companies that collect consumer data.

The ruling in *Carpenter*, which should be released by June 2018, "will have a significant impact on consumer privacy," Grosdidier said. Consumers "want to know whether the government can access location data on their IoT devices without a warrant." ...

Excerpted from *Bloomberg BNA*. To read the full article, click [here](#).