

OCTOBER TERM, 2013  
Syllabus  
NOTE: Where it is feasible, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States v. Detroit Timber & Lumber Co.*, 200 U. S. 321, 337.

**SUPREME COURT OF THE UNITED STATES**

Syllabus

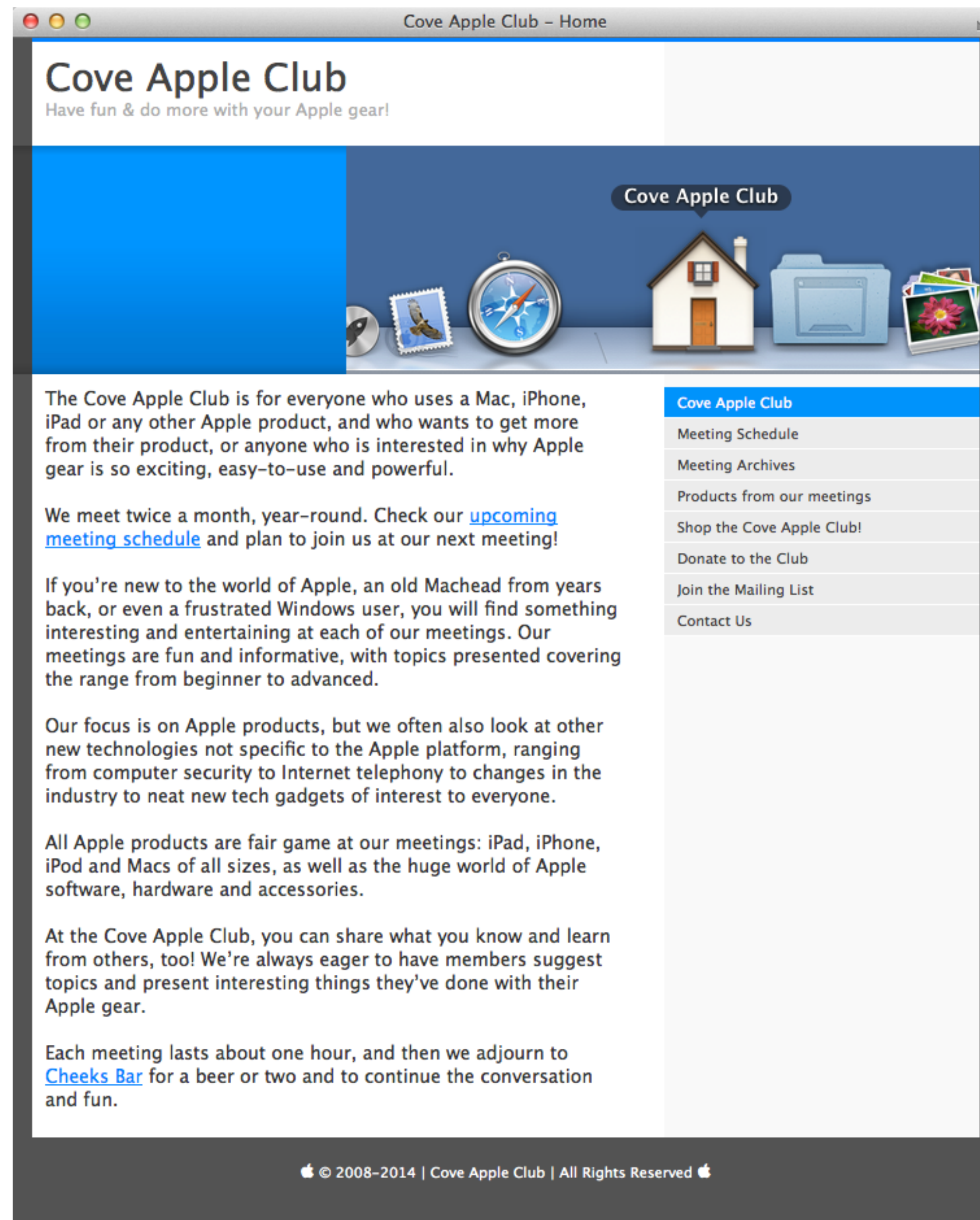
**RILEY v. CALIFORNIA**

CERTIORARI TO THE COURT OF APPEAL OF CALIFORNIA,  
FOURTH APPELLATE DISTRICT, DIVISION ONE

No. 13-132. Argued April 29, 2014—Decided June 25, 2014\*

In No. 13-132, petitioner Riley was stopped for a traffic violation, which eventually led to his arrest on weapons charges. An officer searching Riley incident to the arrest seized a cell phone from Riley's pants pocket. The officer accessed information on the phone and noticed the repeated use of a term associated with a street gang. At the police station two hours later, a detective specializing in gangs further examined the phone's digital contents. Based in part on photographs and videos that the detective found, the State charged Riley in connection with a shooting that had occurred a few weeks earlier and sought an enhanced sentence based on Riley's gang membership. Riley moved to suppress all evidence that the trial court denied the motion. The California Court of Appeal affirmed the conviction. In No. 13-212, respondent Wurie was arrested after police observed him participate in an apparent drug sale. The officers seized a cell phone from Wurie's person and accessed its external screen. The officer identified the phone as "my house" on its external screen. The officer accessed its call log, determined the number associated with the "my house" label, and traced that number to what was identified as Wurie's apartment. They secured a search warrant and searched a firearm and ammunition, and cash in the ensuing search. Wurie was then charged with drug and firearm offenses. The District Court denied the motion to suppress the evidence obtained from the search of the phone and Wurie's apartment. The California Court of Appeals affirmed the conviction.

\*Together with No. 13-212, *United States v. Wurie*, No. 13-132, 13-133, 13-134, 13-135, 13-136, 13-137, 13-138, 13-139, 13-140, 13-141, 13-142, 13-143, 13-144, 13-145, 13-146, 13-147, 13-148, 13-149, 13-150, 13-151, 13-152, 13-153, 13-154, 13-155, 13-156, 13-157, 13-158, 13-159, 13-160, 13-161, 13-162, 13-163, 13-164, 13-165, 13-166, 13-167, 13-168, 13-169, 13-170, 13-171, 13-172, 13-173, 13-174, 13-175, 13-176, 13-177, 13-178, 13-179, 13-180, 13-181, 13-182, 13-183, 13-184, 13-185, 13-186, 13-187, 13-188, 13-189, 13-190, 13-191, 13-192, 13-193, 13-194, 13-195, 13-196, 13-197, 13-198, 13-199, 13-200, 13-201, 13-202, 13-203, 13-204, 13-205, 13-206, 13-207, 13-208, 13-209, 13-210, 13-211, 13-212, 13-213, 13-214, 13-215, 13-216, 13-217, 13-218, 13-219, 13-220, 13-221, 13-222, 13-223, 13-224, 13-225, 13-226, 13-227, 13-228, 13-229, 13-230, 13-231, 13-232, 13-233, 13-234, 13-235, 13-236, 13-237, 13-238, 13-239, 13-240, 13-241, 13-242, 13-243, 13-244, 13-245, 13-246, 13-247, 13-248, 13-249, 13-250, 13-251, 13-252, 13-253, 13-254, 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# Since Our Last Meeting

## Earnings Report Totals

[Glossary](#)

**June 23, 2014 to July 8, 2014**


	Items Shipped	Revenue	Advertising Fees
Total Amazon.com Items Shipped	18	\$700.00	\$34.12
Total Third Party Items Shipped 	19	\$265.53	\$15.58
<b>Total Items Shipped</b>	<b>37</b>	<b>\$965.53</b>	<b>\$49.70</b>
<b>Total Items Returned</b>	<b>-1</b>	<b>-\$54.99</b>	<b>-\$2.20</b>
<b>Total Refunds</b>	<b>0</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>TOTAL ADVERTISING FEES</b>	<b>36</b>	<b>\$910.54</b>	<b>\$47.50</b>

# 2014 Year-to-Date

## Earnings Report Totals

[Glossary](#)

January 1, 2014 to July 8, 2014

	Items Shipped	Revenue	Advertising Fees
Total Amazon.com Items Shipped	487	\$10,693.46	\$540.52
Total Third Party Items Shipped 	325	\$6,437.49	\$379.66
<b>Total Items Shipped</b>	<b>812</b>	<b>\$17,130.95</b>	<b>\$920.18</b>
<b>Total Items Returned</b>	<b>-4</b>	<b>-\$114.96</b>	<b>-\$4.86</b>
<b>Total Refunds</b>	<b>0</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>TOTAL ADVERTISING FEES</b>	<b>808</b>	<b>\$17,015.99</b>	<b>\$915.32</b>

# Tonight's Topics

- Apple In The News
- Anonymous Email
- (Almost) Free iPhones, Part I
- (Almost) Free iPhones, Part II

# Apple 3Q14 Earnings Call

- Set for 5pm ET on Tuesday, July 22
- First full quarter with China Mobile at full supply
- Meanwhile, AAPL stock is up since the 7-for-1 stock split on June 6
  - Now at \$95.34, up 3.3% over the post-split opening price of \$92.22

Time for Tonight's Pop Quiz

Tonight's Topic:  
Our Constitutional Civil Rights

# The First Amendment

What are the five freedoms  
guaranteed by the First  
Amendment?

# The 1st Amendments's Five Freedoms

- Freedom of religion, which includes freedom **from** (everyone else's!) religion
- Freedom of speech
- Freedom of the press
- Freedom to peaceably assemble
- Freedom to petition the government for redress of grievances

Cox Enterprises  
FOUNDING PARTNER

# FIRST AMENDMENT

## FORTY-FIVE WORDS OF FREEDOM

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

On Dec. 15, 1791, the first 45 words of the Bill of Rights established the First Amendment to the U.S. Constitution. For the first time in history, a constitution guaranteed its people five fundamental freedoms to protect what James Madison called "the great rights of mankind." The guarantee of rights has played a central role in expanding liberty and justice for every person in the United States. The five freedoms are inextricably linked, and they all are strengthened by a free press that remains free. "Our liberty depends on the freedom of the press," said Thomas Jefferson, "and that cannot be linked without being lost."

### About the Founding Partner

At Cox, we believe in the power of the First Amendment. We are committed to the freedom of speech, the right of the press, and the right of the people to assemble and petition the government for a redress of grievances. We are committed to the freedom of religion, and the right of the people to peaceably assemble and petition the government for a redress of grievances. We are committed to the freedom of the press, and the right of the people to peaceably assemble and petition the government for a redress of grievances.

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404







GERARDO ORTEGA  
RADIO MINDANAO NETWORK

IN RUSSIA

KHADZHIMURAD  
KAMALOV  
CHERNOVIK

IN SIERRA LEONE

IBRAHIM FODAY  
THE EXCLUSIVE

IN SOMALIA

ABDIAZIZ AHMED ADEN  
RADIO MARKABLEY

ABDISALAN SHEIK  
HASSAN  
RADIO HAMAR

NORAMFAIZUL  
MOHD NOR  
BERHAMA TV

FARAH HASSAN SAHAL  
RADIO SIMBA

IN SYRIA

AL-SAYED

CEM EMIR  
DOGAN MEDYENI

SEBAHATTIN YILMAZ  
DOGAN MEDYENI

IN YEMEN

JAMAL AL-SHARAAHI  
AL-MASDAH

MOHAMMED AL-THULAYA  
AL-SALAH

HASSAN AL-WADHAF  
ARABIC MEDIA AGENCY

2012

IN BAHRAIN

AHMED ISMAEL HASSAN  
AL-SAMADI  
FREELANCE

IN BANGLADESH

JAMAL UDDIN  
GRAMER KADOL

IN BELGIUM

MICHAEL CORNETTE  
KRANT VAN NEDERLANDEN

IN BRAZIL

QUEL BARBOSA

EMILIO PABLO RIVERA  
DOGAN MEDYENI

PAULINO RIVERA  
CHAVEZ RIVERA

DECIOLA  
P/STUDIO ALBANY

IN CANADA

HANG SEBIL OLUK  
FRANCIS RIVERA

IN COLOMBIA

GUILTERMO QUIROZ  
DELGADO  
FREELANCE

IN ECUADOR

BYRON BALDEÓN  
FREELANCE

IN EGYPT

AL-HOSSEINY ABOU DEIF  
ID-EGYPT

IN INDIA

RAJESH MISHRA  
NIGMA RAJ

TARUN SEHRAWAT  
UNILION

THANGLAM  
DWIJAMANI SINGH  
HINDI NEWS

IN INDONESIA

FEMI ADIRINGSIH  
BUDIDAYA NEWS

AVIANTARA

IN JAPAN

YASUNARI

YASUNARI

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IN CHINA

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FRANCE PRESS

IN COLOMBIA

GUILTERMO QUIROZ  
DELGADO  
FREELANCE

IN ECUADOR

BYRON BALDEÓN  
FREELANCE

IN EGYPT

AL-HOSSEINY ABGU DEN  
AL-FARAB

IN INDIA

RAJESH MISHRA  
NDIA AL

TARUN SEHRAWAT  
INDIA

THANGJAM  
JAHANI SINGH

IN JAPAN

YASUYUKI ITO  
AL-SALAH

IN KENYA

HABIB ALI ALI  
AL-SALAH

ABDUL SALAM  
AL-SALAH

IN KUWAIT

ALI SHAMSI  
AL-SALAH

IN LIBERIA

ADRIAN SILEX HOPE  
LIBERIA

IN LEBANON

YADY POUL  
LIBANON

IN MALAYSIA

EMENHE ARDOW  
MALAYSIA

IN MALI

ABDULLAH ABD  
MALI

IN NIGERIA

UNION PRESS  
NIGERIA

IN PAKISTAN

FAZIL GHANI  
PAKISTAN

IN PERU

ALI MEDINA  
PERU

ANSA CORREO  
PERU

IN PHILIPPINES

FRANCIS  
PHILIPPINES

ANDAN TOSK  
PHILIPPINES

MANO SALAS  
PHILIPPINES

ABDUL KADIR  
PHILIPPINES

ANNA KOO  
PHILIPPINES

ARIF ALI  
PHILIPPINES

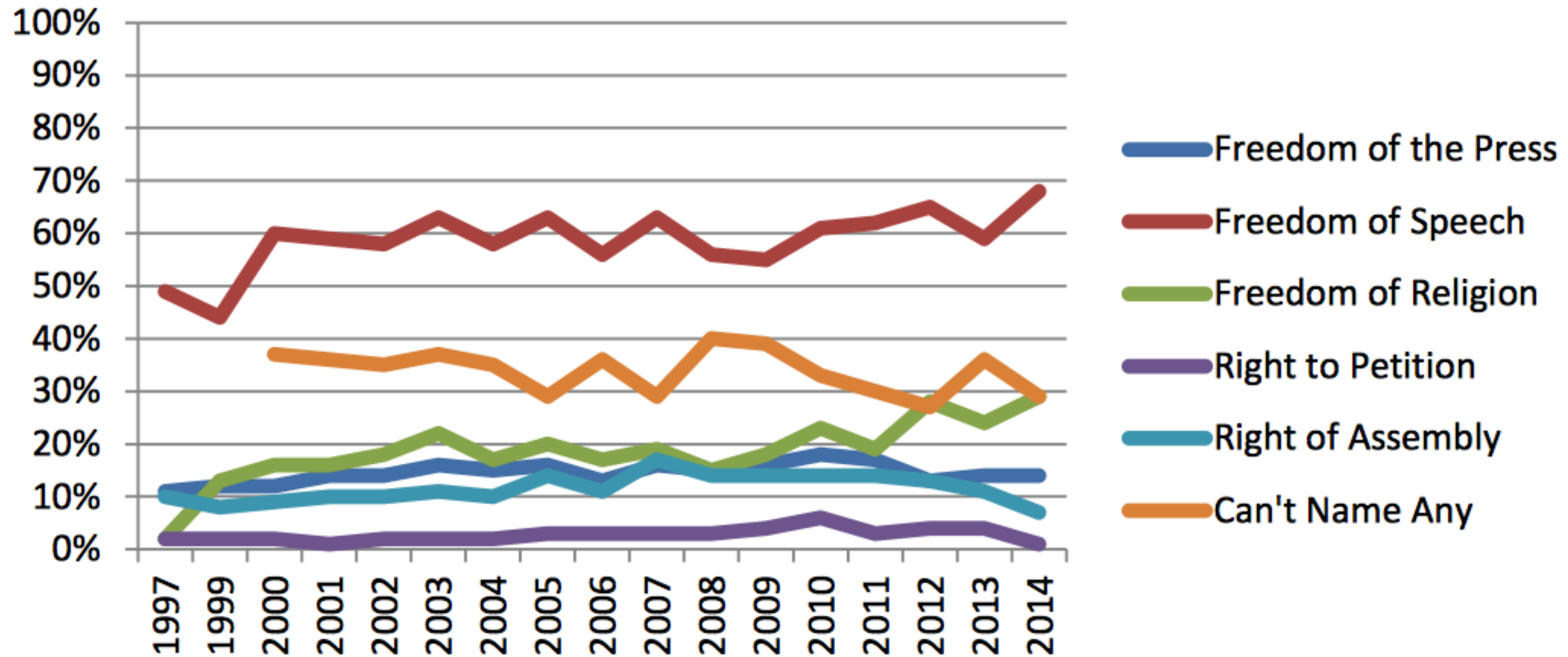
ABDUL KADIR  
PHILIPPINES

MOHAMMAD  
PHILIPPINES

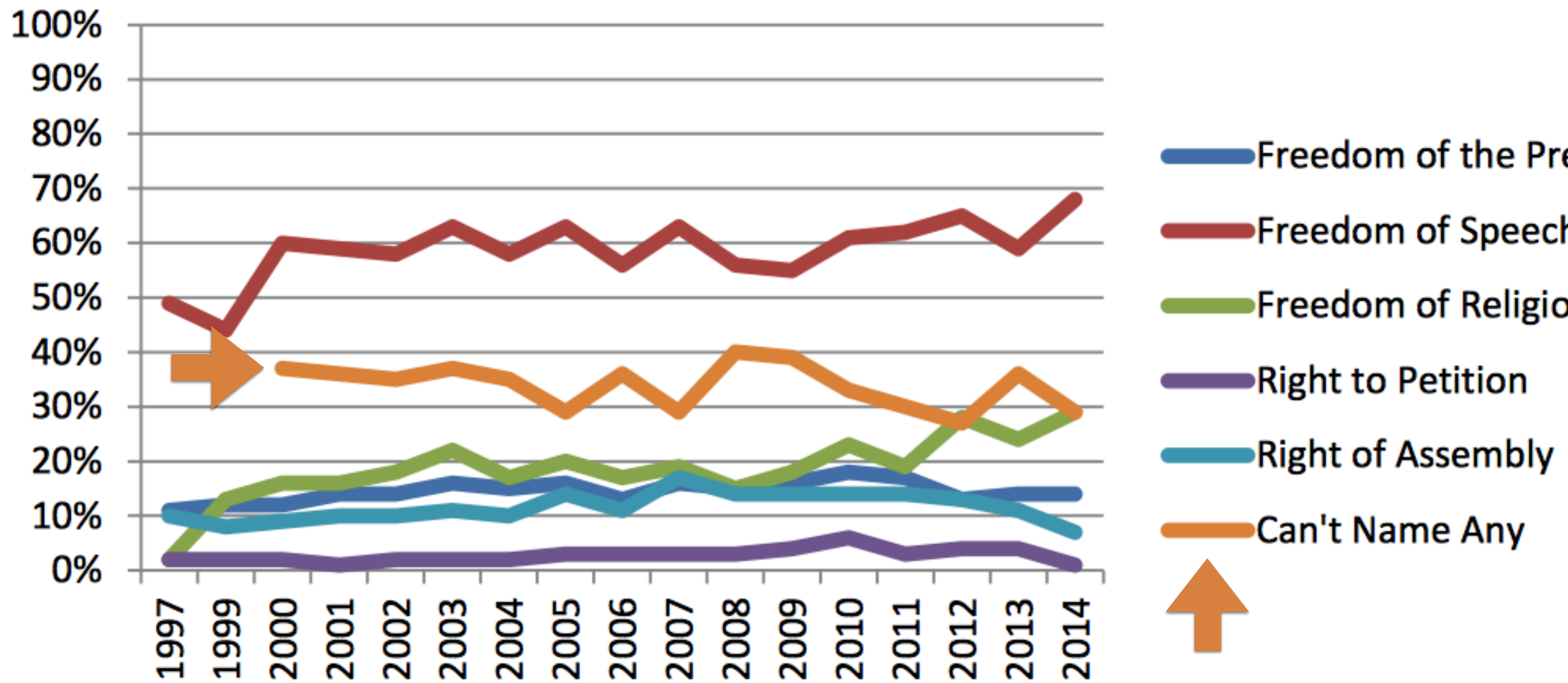




# Those who can name the rights of the First Amendment



source: First Amendment Center  
2014 State of the First Amendment Survey  
<http://www.firstamendmentcenter.org>



# The Problem

- 29% of over 1,000 American adults surveyed couldn't name a single freedom guaranteed by the First Amendment
- And that's bad because:
  - ***These people can vote***

(Slip Opinion)

OCTOBER TERM, 2013

1

Syllabus

NOTE: Where it is feasible, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States v. Detroit Timber & Lumber Co.*, 200 U. S. 321, 337.

**SUPREME COURT OF THE UNITED STATES**

Syllabus

**RILEY v. CALIFORNIA**

CERTIORARI TO THE COURT OF APPEAL OF CALIFORNIA,  
FOURTH APPELLATE DISTRICT, DIVISION ONE

No. 13–132. Argued April 29, 2014—Decided June 25, 2014\*

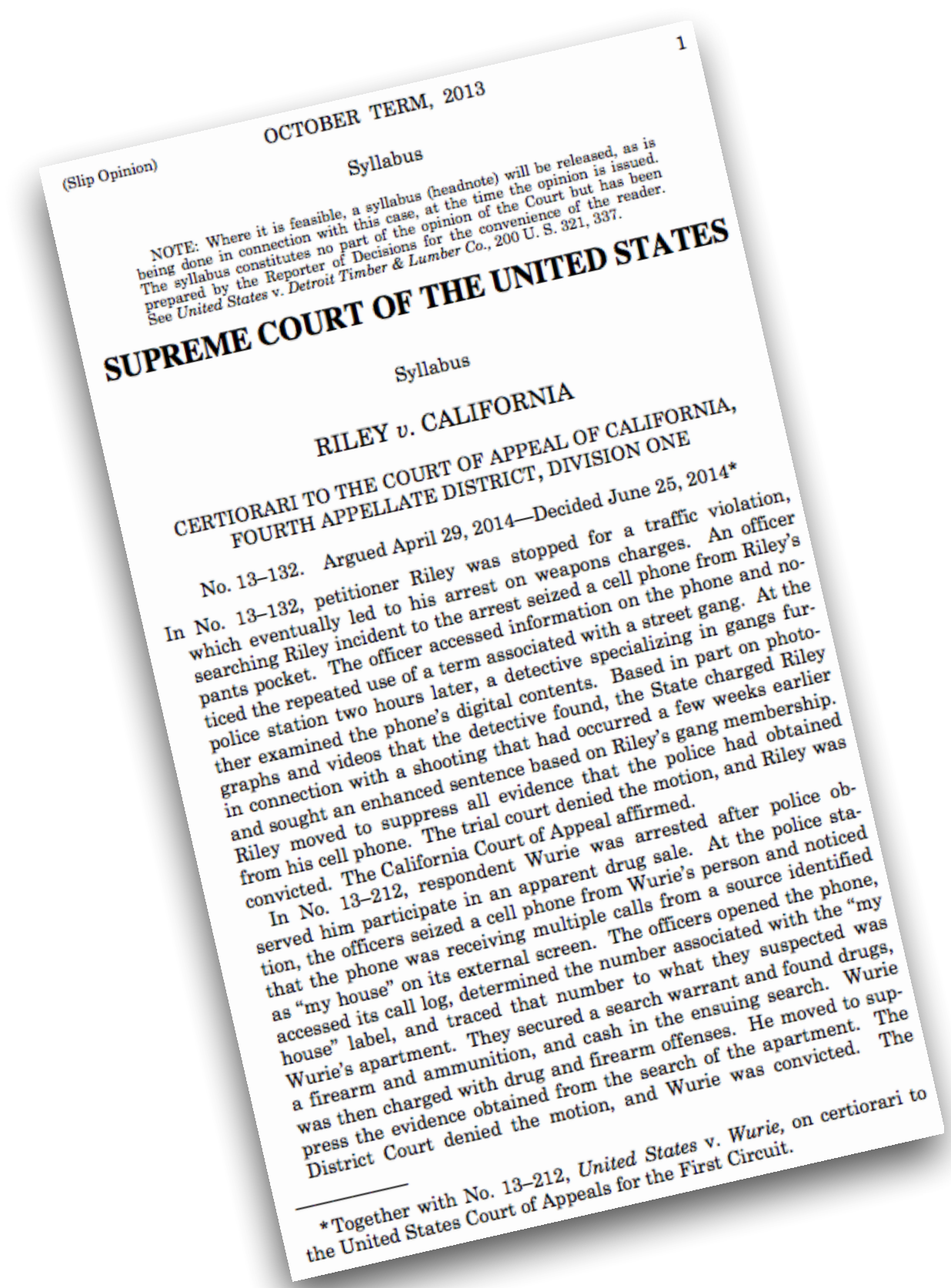
In No. 13–132, petitioner Riley was stopped for a traffic violation, which eventually led to his arrest on weapons charges. An officer searching Riley incident to the arrest seized a cell phone from Riley’s pants pocket. The officer accessed information on the phone and noticed the repeated use of a term associated with a street gang. At the police station two hours later, a detective specializing in gangs further examined the phone’s digital contents. Based in part on photographs and videos that the detective found, the State charged Riley in connection with a shooting that had occurred a few weeks earlier and sought an enhanced sentence based on Riley’s gang membership. Riley moved to suppress all evidence that the police had obtained from his cell phone. The trial court denied the motion, and Riley was convicted. The California Court of Appeal affirmed.

In No. 13–212, respondent Wurie was arrested after police observed him participate in an apparent drug sale. At the police station, officers seized a cell phone from Wurie’s person and noticed receiving multiple calls from a source identified as “my friend.” The officers opened the phone, and a person associated with the “my friend” suspected was involved in the drug sale.

*Riley v. California*

# *Riley v. California*

- Can police search a cell phone seized from a suspect incident to an arrest?
- Our government argued that police should be able to search any physical object in our possession incident to an arrest, including the contents of our cell phones
- Civil liberties advocates argued that the Fourth Amendment prohibits those searches under the “papers and effects” clause.



# Plaintiff David Leon Riley

- Stopped by police for expired registration tags
- Officers determined Riley's license had been suspended
- Under California law, Riley's car was impounded on the spot
- Car was searched, police found two handguns
- Riley placed under arrest
- After arrest, Riley was searched & his cellphone seized
- Hours later, at the PD with Riley in custody, detectives found evidence on the phone that tied him to felonies

# Riley's Objections (in part)

- Evidence obtained from cell phone data should be suppressed, as it was conducted without a warrant in violation of his rights guaranteed by the Fourth Amendment
- The warrantless search of his phone was not necessary to serve any legitimate government interest
- Specifically, the device did not threaten officer safety, and searching it after it had already been seized was not necessary to prevent the destruction of evidence
- Both of those exceptions to warrant requirements were already decided by the Court in the *Chimel* case (*Chimel v. California*, 395 U.S. 752 (1969) and *United States v. Robinson*, 414 U.S. 218 (1973))

# What The Government Wanted

- ***Warrantless*** searches of cellphone contents if it's reasonable to believe it holds evidence relevant to a crime
- ...or if not that, "Search only the areas of the phone that could have information about the crime, who the suspect was, or officer safety."
- ...and if not that, then, "Use the phone's data to obtain relevant data that could also be obtained by other means."
- ...or, "at least be able to search the call logs."

# Fourth Amendment

“The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, ***shall not be violated***, and no Warrants shall issue, but upon ***probable cause***, supported by Oath or affirmation, and ***particularly describing the place to be searched***, and the persons or things to be seized.”

# How Would You Have Decided This Case?

(Slip Opinion)

OCTOBER TERM, 2013

1

## Syllabus

NOTE: Where it is feasible, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States v. Detroit Timber & Lumber Co.*, 200 U. S. 321, 337.

## SUPREME COURT OF THE UNITED STATES

### Syllabus

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CERTIORARI TO THE COURT OF APPEAL OF CALIFORNIA,  
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In No. 13–132, petitioner Riley was stopped for a traffic violation, which eventually led to his arrest on weapons charges. An officer searching Riley incident to the arrest seized a cell phone from Riley’s pants pocket. The officer accessed information on the phone and noticed the repeated use of a term associated with a street gang. At the police station two hours later, a detective specializing in gangs further examined the phone’s digital contents. Based in part on photographs and videos that the detective found, the State charged Riley in connection with a shooting that had occurred a few weeks earlier and sought an enhanced sentence based on Riley’s gang membership. Riley moved to suppress all evidence that the police had obtained from his cell phone. The trial court denied the motion, and Riley was convicted. The California Court of Appeal affirmed.

In No. 13–212, respondent Wurie was arrested after police observed him participate in an apparent drug sale. At the police station, the officers seized a cell phone from Wurie’s person and noticed that the phone was receiving multiple calls from a source identified as “my house” on its external screen. The officers opened the phone, accessed its call log, determined the number associated with the “my house” label, and traced that number to what they suspected was Wurie’s apartment. They secured a search warrant and found drugs, a firearm and ammunition, and cash in the ensuing search. Wurie was then charged with drug and firearm offenses. He moved to suppress the evidence obtained from the search of the apartment. The District Court denied the motion, and Wurie was convicted. The

\*Together with No. 13–212, *United States v. Wurie*, on certiorari to the United States Court of Appeals for the First Circuit.

This Decision Was  
Not A Slam-Dunk

# This Same Court Decided That

This is a person



source: *Citizens United v. FEC*;  
08-205, Decided January 21, 2010

# This Same Court Decided That

This is a person



source: *Burwell vs. Hobby Lobby*;  
13-354, Decided June 30, 2014

# This Same Court Decided That

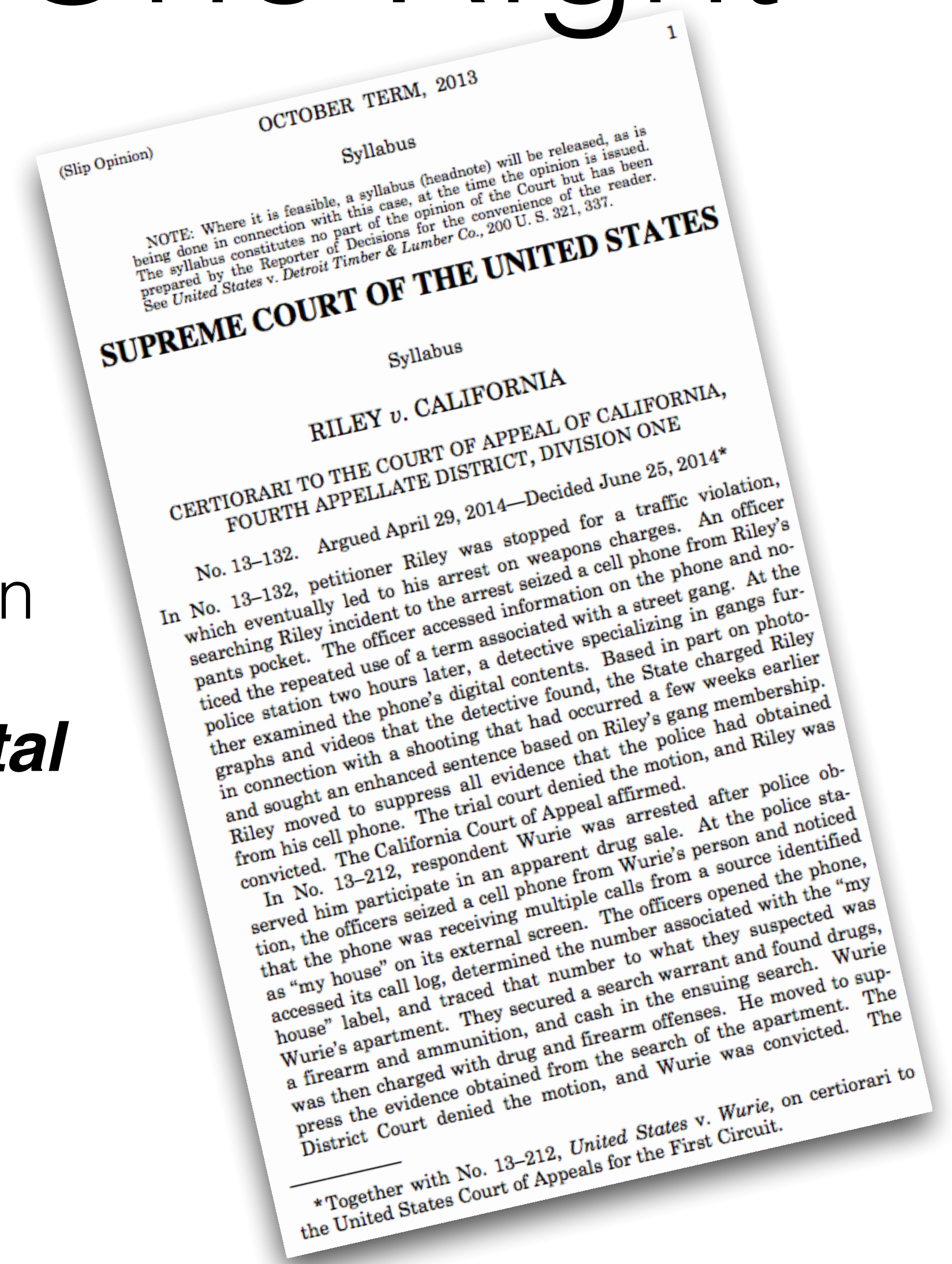
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source: *Burwell vs. Hobby Lobby*;  
13-354, Decided June 30, 2014

# But They Got This One Right

- ***Unanimous*** 9-0 decision in favor of Riley
- Reversed the California Court of Appeals decision
- Affirmed the citizens' right to privacy in their ***digital*** "papers, and effects"



"Modern cell phones are not just another technological convenience. With all they contain and all they may reveal, they hold for many Americans “the privacies of life.” The fact that technology now allows an individual to carry such information in his hand does not make the information any less worthy of the protection for which the Founders fought.”

— Opinion of the Court,  
*Riley v. California*  
(573 US 13-132 (2014))  
United States Supreme Court  
June 26, 2014

“Our answer to the question of what police must do before searching a cell phone seized incident to an arrest is accordingly simple—***get a warrant.***”

— Opinion of the Court,  
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United States Supreme Court  
June 26, 2014

Verizon

10:41

Wednesday, July 9

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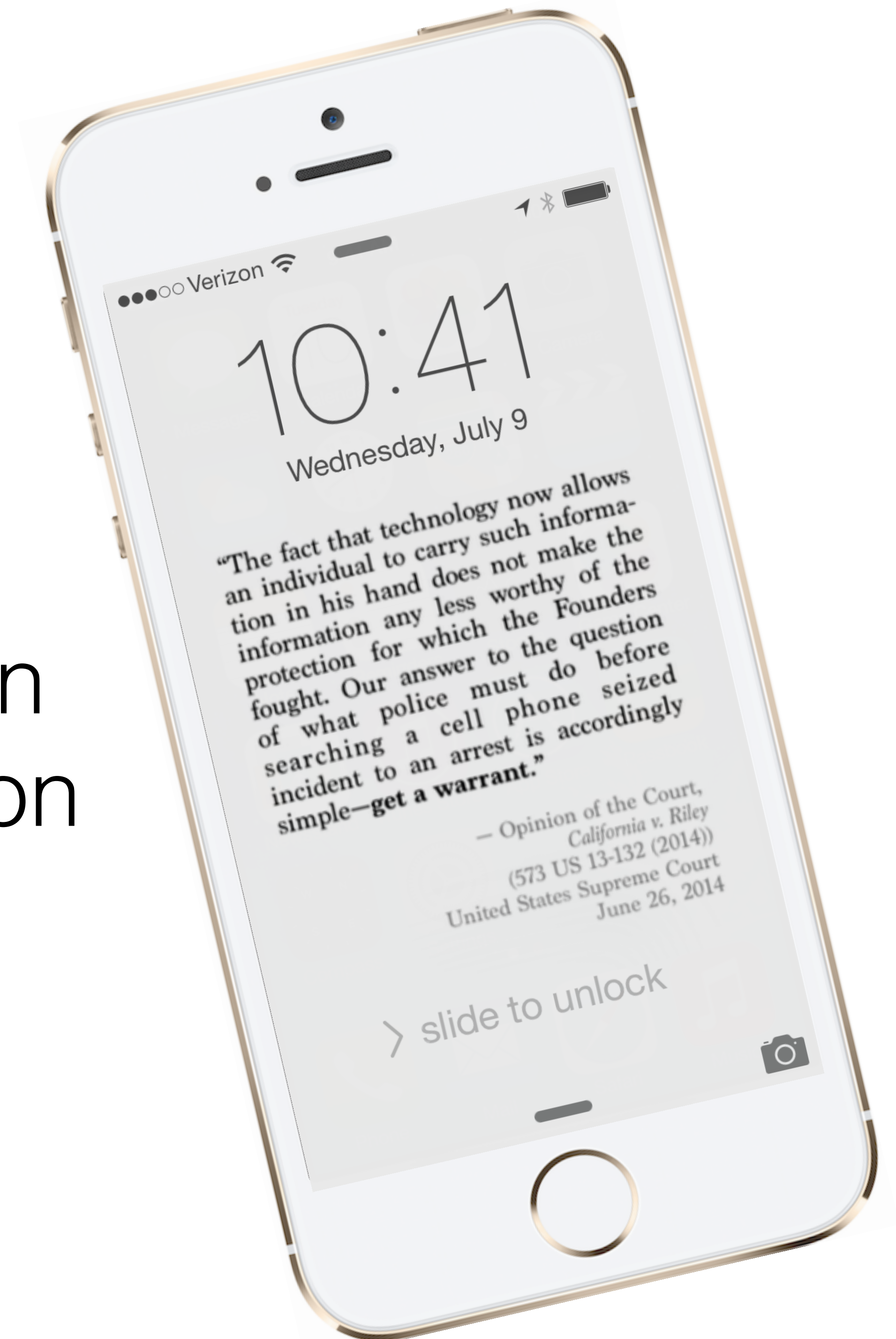
— Opinion of the Court,  
*California v. Riley*  
(573 US 13-132 (2014))  
United States Supreme Court  
June 26, 2014

> slide to unlock





Download the exclusive  
Cove Apple Club  
SCOTUS Decision Lock Screen  
Image from the Archives section  
@ **coveappleclub.com**



# iPhone Price Drops & Free Trials



# iPhone Price Drops

- iPhone 4S reaching end-of-life; has been free with 2-year contract for over a year; offered in 8Gb version only
- iPhone 5 will be two years old on September 21
  - Approximately 70,000,000 iPhone 5 buyers will be coming off-contract in the 4th quarter of this year
- iPhone 5S/5C will be one year old on September 20

# Gazelle Promo

- Guess the intro date of the new iPhone
- Enter to win the new iPhone
- Must “Like” them on the Book of Faces
- Check it out at **facebook.com/Gazelle.com**

**Gazelle** July 9, 2014 9:20 AM  
To: Mike [REDACTED] [Hide Details](#)  
Reply-To: Gazelle  
When will the new iPhone come out?

[View this email in your browser](#)

 [REFER A FRIEND](#) [BLOG](#)



**GUESS THE DATE**  
Guess the date of the new iPhone release, and you could win a new iPhone!  
**MAKE YOUR GUESS**

**SELL YOUR DEVICE**  
Just choose your device and answer a few questions.



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# iPhone 5S \$99 Everyday at Walmart



**Apple iPhone 5s, AT&T, Verizon, Sprint & US Cellular**

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**Instore Only \*\$99 was \$149**

\*Price based on new line activation or eligible upgrade with 2 year contract


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**In-store only, with 2-year contract  
On AT&T, Sprint or Verizon**

# iPhone 5C \$29 Everyday at Walmart



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**In-store only, with 2-year contract  
On AT&T, Sprint or Verizon**

# T-Mobile iPhone 5S Free Test Drive

- New customers only: sign up online, give a credit card as return deposit
- T-Mo ships you a brand-new iPhone 5S; yours to try free for 7 days
- Return or buy at your local T-Mo (company-owned) retail store

## INTRODUCING T-MOBILE TEST DRIVE



### Test drive the network

The T-Mobile network has never been more powerful. That's why we're letting you take the network built for data for a spin with unlimited calls, texts, posts, likes, streams, and downloads—free for 7 days. Then decide for yourself.

**It's simple and FREE.**

- ① We'll send you an iPhone 5s.
- ② Take 7 days to see what the fastest nationwide 4G LTE network can do.
- ③ Return the iPhone 5s to your nearest T-Mobile retail store.

[START NOW](#)

# The Fine Print

- T-Mobile Test Drive is free with no obligation to buy, but if the iPhone 5s comes back with a cracked screen, damaged screen display, water damage, active Find My iPhone feature, or can't be powered on we have to charge a \$100 damage fee.
- If you don't return the device, we have to charge \$699.99 plus applicable taxes.
- A hold for \$699.99 + taxes will be placed on your credit or debit card. The timing of releasing that hold will vary by credit card company.
- We won't charge your card unless you fail to return the device.

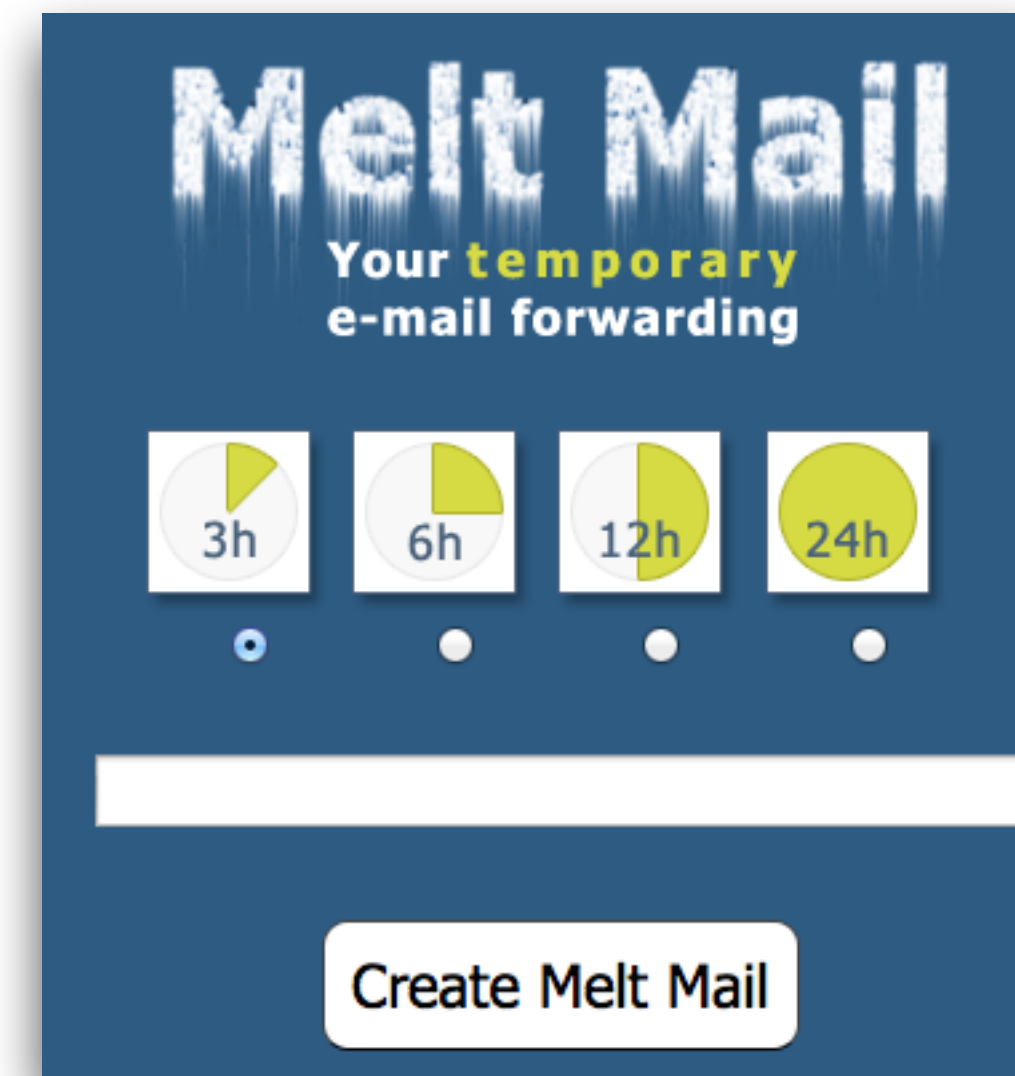
# Sprint 30-Day Money-Back Trial

- New customers only: activate a new line of service, select any phone, return after 30 days if not satisfied
- Sprint's new network includes nationwide Sprint HD Voice, 4G LTE in 471 cities, free International calling & texts via Wi-Fi & Sprint Spark enhanced LTE up to 60Mbps download speeds





# Anonymous Email



# What is anonymous email?

- It's a system that lets you give out a unique email address, different from your real email address, whenever you aren't sure how they plan to use your information
- Perfect for surveys, test-drive service sign-ups, sweepstakes, to allow commenting on websites, sending feedback to resort management, or any of dozens of other handy uses

# How do they work?

- In one system, they don't create an email Inbox for an address until it receives an email to one of their domains
- Example: I want to “test drive” a new web service, but don't want to give them my real email address just yet
- I enter “testdrive-newdotcom@mailinator.com” as my email address

# How do they work?

- The website sends an email to that address, and the Anonymous Email service instantly creates an Inbox for that message
- You visit mailinator.com and retrieve that message by typing in the same email address you gave out
- All email is deleted within hours
- They don't ask for any of your personal info; they obfuscate your IP address & geolocation, and they delete their server logs every 24 hours

# But take note:

- These are “read-only” Inboxes
- You cannot SEND from these addresses
- You cannot FORWARD from these addresses (except Mailinator)
- You cannot “log in” or “sign up” for these addresses

# We Will Try Out Three

- Mailinator — **mailinator.com**
- MeltMail - **meltmail.com**
- AirMail - **getairmail.com**
- All are free services
- Next month: we'll look at SPAM Gourmet



Demo



# Our Next Meeting

