

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

<b>UNITED STATES OF AMERICA</b>	:	
	:	<b>CASE NO. 21-CR-204 (BAH)</b>
v.	:	
	:	
<b>MATTHEW BLEDSOE,</b>	:	
	:	
<b>Defendant</b>	:	

**NOTICE OF DECLARATION IN SUPPORT OF GOVERNMENT’S OPPOSITION TO  
DEFENDANT’S MOTION TO SUPPRESS EVIDENCE OBTAINED PURSUANT TO  
SEARCH WARRANTS**

The government submits the attached declaration in support of its argument that the good-faith exception would apply even if a warrant were required to obtain user information from Facebook. The good-faith exception to suppression applies where law enforcement officers act in objectively reasonable reliance on a statute. *See Illinois v. Krull*, 480 U.S. 340, 342 (1987). Even where, as here, the statute in turn speaks of the provider’s good-faith belief, the relevant question is whether the law enforcement officer’s reliance on that statute was objectively reasonable under the circumstances. *See, e.g., United States v. Rosario*, 5 F.4th 706, 712 (7th Cir. 2021) (“[T]he record demonstrates that *the officers* relied on § 2702(c)(4) of the Stored Communications Act in good faith.”) (emphasis added); *United States v. Hammond*, 996 F.3d 374, 393 (7th Cir. 2021) (applying the good-faith exception where a detective “reasonably relied on § 2702(c)(4) of the Stored Communications Act” when requesting certain information from the provider); *United States v. McHenry*, 849 F.3d 699, 706 (8th Cir. 2017) (holding that law enforcement officers had a “good-faith belief that exigent circumstances . . . justified the request that T-Mobile disclose subscriber information . . . as authorized under the Storage [sic] Communications Act”); *United States v. Caraballo*, 963 F. Supp. 2d 341, 365 (D. Vt. 2013) (applying good-faith exception where

law enforcement had objectively “reasonable belief that the applicable law,” namely, § 2702(c)(4), “authorized” a request to provider for certain information about the defendant’s cell phone). The attached declaration makes clear that the FBI relied on 18 U.S.C. § 2702(c)(4) when requesting user identification from Facebook; the declaration and the government’s briefing underscore that such reliance was objectively reasonable.

Respectfully submitted,

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