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Case Summaries: Fourth Circuit Court of Appeals (July 2026)

Failure to ensure proper medical care and limiting the ability of detainee to file medical complaints while she was in solitary confinement may have violated clearly established law; denial of qualified immunity to prison officials affirmed

Rhoads v. Riddell, 180 F.4th 171 (July 2, 2026). The plaintiff was a detainee at the Aiken County Detention Center. After a few days of being in custody, she began experiencing pain stemming from an abscess on the side of her head. She requested medical treatment several times and prison medical personnel prescribed antibiotics and ibuprofen. Detention center staff noticed several broken teeth and a decayed tooth, and they placed the plaintiff on a list to see a dentist. When the plaintiff's symptoms did not improve, she submitted multiple grievances complaining of inadequate treatment. She was eventually seen by a doctor, who diagnosed the abscess as a hematoma and recommended Tylenol and a warm compress. She later ran out of pain medication and continued experiencing severe discomfort, which led her to conduct a "peaceful protest" by refusing to return to her cell. In response, jail officials placed her in solitary confinement, where she was unable to file additional medical complaints. Within a few days, she fainted and again saw jail medical staff. This time, they ordered a CT scan and gave the plaintiff over-the-counter pain medication. Five days later, jailers found her unconscious on the cell floor. Medical personnel told the guards that the plaintiff needed to be assigned a "buddy" because she was no longer capable of standing up on her own. Later that same day, she was feverish and vomiting. At this point, she was transported to the hospital. The plaintiff was ultimately diagnosed with a bone infection on the side of her skull and severe sepsis, which required surgery to remove part of her skull.

The plaintiff sued several jail officials, members of the medical team, and the company that employed the medical staff in the District of South Carolina. The company and some of the medical team members later settled with the plaintiff, and those claims were dismissed. The jail officials moved for summary judgment, arguing that they simply deferred to medical staff and could not be held liable under clearly established law. The district court agreed, finding the officers were entitled to qualified immunity. The plaintiff moved for reconsideration as to two senior jail officials who acted as supervisors. The district court then changed course and found that there were several material facts in dispute, including whether the supervisors had been warned by subordinate officers, whether the plaintiff's condition was obvious, and whether the guards knew of her condition and consciously disregarded the risk of not treating it. The district court therefore denied the motion for summary judgment as to these two defendants. The defendants appealed that ruling, arguing that no clearly established law put them on notice that their conduct was unconstitutional.

On appeal, the Fourth Circuit affirmed. It is clearly established that pretrial detainees have a right to proper medical care and "to be free from deliberate indifference to their known medical needs." *Rhoads* Slip op. at 16. Denying the plaintiff adequate medical care for weeks and placing her in solitary confinement without the ability for her to report her medical conditions could constitute deliberate indifference and violate the Fourteenth Amendment. While jail officials can generally defer to the judgment of medical staff without incurring liability, the claims here concerned the jail officials' ignoring signs that the medical treatment the plaintiff was receiving was inadequate and placing her into solitary confinement, where she lost the ability to file medical complaints. The prison officials therefore were on notice that their inaction may expose them to liability, and a reasonable jury could conclude that such inaction violated the plaintiff's Fourteenth Amendment rights.

The judgment of the district court was therefore affirmed.

Judge Rushing concurred separately and would have defined the constitutional right at issue more narrowly. Even under that more specific definition, though, she agreed that the defendants were not entitled to qualified immunity at this stage.

Intentional delay in checking on an injured inmate to avoid extra paperwork could reasonably qualify as deliberate indifference to medical needs; denial of qualified immunity to detention center guards affirmed

King v. Blackwood, 180 F.4th 562 (July 2, 2026). While awaiting federal sentencing, inmate Maurice King was temporarily housed in the Orange County Detention Center in North Carolina. Each cell had a two-way intercom and a small window, and detention center policy required guards to visually check inmates at regular intervals. Video footage recorded three inmates entering King's cell and fighting inside, although it was not clear that guards saw this footage. The other inmates left moments before a guard performed rounds. The first guard to walk by King's cell passed it twice but never looked inside (although he claimed to have checked inside with his peripheral vision). Another guard performed rounds thirty minutes later, and he also failed to check inside King's cell. Shortly after that, the three inmates resumed coming and going from King's cell and at one point covered the window from inside. A guard performed another walkthrough of the wing but once more failed to look inside the cell. He did, however, hear what he described as a "concerning noise" coming from King's cell. A few moments later, a guard monitoring the intercom system heard moaning from King's cell. The two guards then waited around 23 minutes before checking on King in order to avoid the extra paperwork that came with conducting an unscheduled round. When the guards finally checked on King, they found him having difficulty breathing, unable to speak, and presenting signs of injury above his left eye. Instead of calling 911, the guards took King to the nurse. The nurse contacted emergency medical services within minutes. King told the EMTs that he had been attacked and named at least one of his assailants. King suffered a heart attack and died shortly after being admitted to the hospital. Both his treating physician and the medical examiner believed that King's death could have been prevented if medical treatment had been provided sooner. During an investigation into the incident, both guards acknowledged that they believed King may have been assaulted before they checked on him.

King's estate sued numerous guards and supervisors for deliberate indifference to his medical needs, as well as the county and the sheriff, in the Middle District of North Carolina. The district court granted summary judgment to many of the individual defendants but allowed the claim against the two guards who delayed checking on King to proceed. The supervisory liability claims and other state law claims against the county and sheriff were likewise allowed to proceed. The defendants appealed, arguing that were entitled to qualified immunity. At the time of the events giving rise to the plaintiff's claims, deliberate-indifference claims for pretrial detainees were evaluated under the same subjective standard as Eighth Amendment claims for convicted prisoners. Under that standard, the plaintiff was required to show that the decedent had an objectively significant medical condition and that the defendants had actual knowledge of the risk of that condition and chose to ignore it. The plaintiff met that burden here. When the guards heard heavy breathing and groaning from King's cell, a reasonable person would have realized that the inmate needed medical treatment. A reasonable jury could also conclude that the guards knew of that need and consciously chose to delay investigating it, based on the guards' statements in the aftermath of the incident. In the words of the court:

> Taken together, the district court's findings—audible distress from an inmate suspected of having been assaulted, a twenty-minute delay motivated by paperwork avoidance, and post-incident statements supporting an inference of contemporaneous awareness—would permit a reasonable jury to find that [the guards] subjectively appreciated a substantial risk of serious harm to King and consciously disregarded it. *King* Slip op. at 17.

The right to timely and adequate medical care was also clearly established at the time. "An officer is liable when he is aware of facts from which the need for medical care is obvious and he recognizes that need." *Id*. at 21. From the facts here, again, a jury could find that the guards violated King's clearly established right, and the district court did not err in denying qualified immunity at this point in the proceedings.

The Fourth Circuit determined that it lacked appellate jurisdiction over the remaining claims. The district court's qualified immunity ruling was therefore unanimously affirmed.

State court determinations that defendant's speedy trial rights were not violated and that the defendant did not receive ineffective assistance of counsel were reasonable and due deference from the federal habeas court; grant of habeas relief reversed

Langford v. Stonebreaker, 180 F.4th 598 (July 2, 2026). The defendant was convicted of robbery, burglary, kidnapping, and conspiracy in South Carolina state court. He was arrested in 2008. In 2010, a co-defendant moved to dismiss for a speedy trial violation or, alternatively, to set a trial date. At the hearing on that motion, counsel for the defendant notified the court that the defendant had filed a pro se speedy trial request earlier in the proceedings and now sought to renew it. The defendant's lawyer also moved to dismiss for a speedy trial violation. In response, the prosecution alerted the court that a previously cooperating co-defendant had recently decided against testifying in the case because of pressure from the defendant and another co-defendant. As a result of that decision by the formerly cooperative co-defendant, the state wished to try that co-defendant first. At the same hearing, the court addressed the issue of interpreters. The victims in the case spoke Mandarin Chinese, and the prosecution had some difficulty in finding an appropriate interpreter. The trial court denied the speedy trial motions but ordered that trial dates be set within the next nine months. Around nine months later, the defendant proceeded to trial.

At trial, the cooperating co-defendant once again changed course and testified against the defendant for the prosecution. Defense counsel impeached that witness with former statements purporting to absolve the defendant and other co-defendant from any responsibility for the crimes. The witness responded that he knew those statements were false and affirmed that his testimony on direct examination implicating his codefendants was true. A law enforcement witness called by the defense testified about getting a tip that led to the cooperating co-defendant. The jury convicted the defendant on all counts, and he was sentenced to concurrent twenty-year sentences.

On appeal, the state appellate court rejected the defendant's speedy trial argument and affirmed. In state post-conviction proceedings, the defendant argued that his counsel was ineffective for failing to object to the testimony about the tip that led investigators to the defendants. The state post-conviction court found that the defendant failed to show that counsel performed deficiently and that he suffered no prejudice, and denied relief. The defendant then sought habeas relief in federal court. The federal district court granted the petition, finding that the defendant's speedy trial rights had been violated and that his trial counsel had provided ineffective assistance. The warden appealed.

A constitutional claim made and fully adjudicated in state court can serve as the basis for federal habeas relief only if the decision "was contrary to, or involved an unreasonable application of, clearly established Federal law . . . or was based on an unreasonable determination of the facts in light of the evidence presented at the State court proceeding." 28 U.S.C. 2254(d)(1)-(2). Here, the defendant could meet neither prong for either the speedy trial or ineffective assistance claim. The South Carolina appellate court's decision regarding the speedy trial claim correctly applied established federal law and did not involve an unreasonable view of the facts. As to the ineffective assistance claim, even if the defendant's trial counsel performed deficiently by failing to object to the law enforcement testimony about the tip, the state post-conviction court's determination that the defendant could show no prejudice resulting from that failure to object was likewise reasonable. Given that the star witness in the case was a cooperating co-defendant who detailed the defendant's participation in the crimes, along with other corroborating evidence, there was no reasonable probability of a different result at trial had the tip testimony been objected to and excluded.

The district court therefore erred in its analysis of both claims by failing to defer to the state court decisions and by instead effectively conducting de novo review. The district court's order granting habeas relief was therefore unanimously reversed.

Officers' acts of partially blocking the defendant's car in a parking space amounted to a seizure; anonymous tip and location in a high-crime area did not provide reasonable suspicion; divided panel reverses denial of motion to suppress

U.S. v. Williams, 180 F.4th 613 (July 7, 2026). An anonymous caller reported to 911 that a group of men were sitting in a white Mercedes in the parking lot of an apartment building near the pool. The caller stated that he lived in the area. He described one of the men as a light-skinned Black man with twists or dreads and said he believed the men were potentially selling or possessing drugs. Two local police officers received the report and drove to the apartment complex in two separate marked police cars. When they arrived, both patrol cars stopped when they saw the white Mercedes. One officer stopped in front of the Mercedes at a perpendicular angle, partially blocking it from leaving. The other officer parked several yards behind the first patrol car. [The opinion includes photos of the locations of the cars.] The defendant and two other men were inside the Mercedes. As they approached the Mercedes, they immediately smelled marijuana. The defendant admitted he and the other occupants had smoked marijuana, and the officers asked the men out of the car to search the vehicle. The defendant was detained in the back of one of the patrol cars, and officers found a gun under the driver's seat. He was charged in the Western District of North Carolina with possession of firearm by a felon and moved to suppress, arguing that he was seized without reasonable suspicion when the officers blocked his car with their patrol cars.

The district court denied the motion, finding that the defendant was free to leave by going around the patrol car on either side and that a reasonable person would have felt free to leave under the circumstances. The defendant was convicted after a bench trial and appealed the denial of his suppression motion.

Under the totality of circumstances, the defendant was seized when officers blocked in his car. "A vehicle may be considered blocked in even if it is not completely constrained. This is a case where a reasonable person would not have felt free to leave. By contrast, if it is 'readily apparent' that there is 'more than enough room' to drive away without any 'special maneuvering,' then a person has not been blocked in." *Williams* Slip op. at 11 (citation omitted). If the defendant had attempted to turn to the right or left of the patrol car directly in front of his car, he would have had to maneuver past the other officer's car and another parked car, likely with a multi-point turn. The officers' conduct also supported a finding that the defendant was immediately seized as soon as the officers parked. They arrived in two cars, immediately stopped in front of the defendant in the middle of the road (and not in a parking space or on the curb), and partially blocked the defendant's egress from a parking space. "Each of these factors would indicate to a reasonable person that he was the subject of police investigation and therefore not free to leave." *Id*. at 15.

At the point of the seizure, the officers lacked reasonable suspicion to believe the defendant was committing a crime. They had received a bare-bones anonymous tip that merely described the defendant and his car but failed to provide any information by which officers could corroborate evidence of drug dealing. This was unlike a situation where an anonymous tipster calls 911 to report a dangerous and ongoing situation, such as the suspected drunk-driving tip in *Navarette v. California*, 572 U.S. 393 (2014). The tip also lacked other indications of reliability. "The caller in *Navarette* provided a contemporaneous report of a specific, startling event, suggesting firsthand observation. The tip here, by contrast, offered no such detail. It did not describe any specific, observable conduct indicative of drug transactions, such as individuals approaching the vehicle and exchanging items." *Williams* Slip op. at 23 (citations omitted). That the location was known to the officers as a high-crime area was not enough to cure the lack of detail from the tip, even when those two factors were considered together. Thus, the district court erred in denying the motion to suppress.

The district court's ruling on the motion to suppress was therefore reversed, the defendant's conviction was vacated, and the matter was remanded to district court for additional proceedings.

Judge Rushing dissented. She would have found that the defendant was not seized at the point when officers smelled marijuana.

Odor of marijuana gave officers reasonable suspicion to extend traffic stop and supported frisk of the defendant; denial of motion to suppress affirmed

U.S. v. Carson, 180 F.4th 650 (July 8, 2026). A property manager in Asheville, North Carolina, contacted local police to report that some young men were hanging out in the parking lot of a public housing complex and appeared to be selling drugs and carrying guns. Two detectives conducted surveillance at the site and corroborated the property manager's report that young men were frequently coming and going from the parking lot. They noticed the defendant in the backseat of a car but did not see him commit any criminal activity.

A few weeks later, one of the same detectives was involved in an operation to patrol downtown bars. Before starting his patrol of the section of downtown to which he was assigned, the detective stopped by a nearby gas station. There, he noticed the same car with the same driver and front-seat passenger that he had observed at the public housing complex weeks earlier. In the interim, he had learned that the driver of that car had a suspended license. Once the detective saw the car drive away, he radioed for another unit to stop the car for the suspended license. An Alcohol Law Enforcement agent who was part of the bar operation stopped the car shortly thereafter. Another officer arrived on the scene in short order. The defendant was again a back-seat passenger in the car. The driver admitted to police that he lacked a valid license but provided identification. A third officer arrived at this point. When he approached the car, he smelled marijuana emanating from it. He also noticed a knife between the driver's legs, as well as a digital scale between the two front seats.

The stopping officer began citing the driver for driving on a suspended license. He entered the driver's and the car's information into various databases. Another officer was running a background check on the defendant. Those two officers conferred about the possibility of getting a drug dog on scene but ultimately decided against it. The third officer on scene then reported the smell of marijuana and the digital scale to the other officers. All of this occurred within about two minutes of the traffic stop. A fourth officer then arrived on the scene. He recognized the defendant and asked him to step out of the car. As the defendant was stepping out, this officer smelled marijuana. Another officer who had begun searching the car also smelled marijuana. The defendant was frisked immediately after exiting the car. The defendant's pants were very low on his body, and the officer frisking him felt like something was weighing down the defendant's pants. When he asked the defendant to spread his legs, the defendant told the officer that he could not do so. When asked why, the defendant admitted to the officer that he had a gun. The officer recovered a loaded 9mm gun from the defendant's pants.

The defendant was indicted in the Western District of North Carolina for possession of firearm by a felon. The defendant moved to suppress, arguing that the officers unnecessarily extended the traffic stop and that he was frisked without reasonable suspicion of being armed and dangerous. The district court denied the motion, finding that the odor of marijuana supported both the extension of the stop to search the car and the frisk of the defendant. The defendant pled guilty and reserved his right to appeal. On appeal, a unanimous panel of the Fourth Circuit affirmed.

The traffic stop for a suspended license was valid. The officers were within the mission of the stop in conducting background checks on the driver and the vehicle, as was the discussion between the two officers about whether to deploy a canine. Even assuming these steps were outside the scope of the traffic stop, they happened after or at the same time as another officer developed reasonable suspicion based on his detection of the odor of marijuana and observation of apparent drug paraphernalia (namely, the digital scale). This justified extending the traffic stop and modifying its mission.

As to the frisk of the defendant, circuit precedent allows an officer to remove and frisk an occupant of a car during a traffic stop when there is reasonable suspicion to believe drugs are present in the car, unless other factors exist that negate safety concerns. *U.S. v. Sakyi*, 160 F.3d 164, 169 (4th Cir. 1998).

For these reasons, the district court correctly denied the motion to suppress.

Judge Berner concurred separately. She acknowledged *Sakyi* as binding precedent but expressed that the justifications for that decision—that guns often accompany illegal drugs—were no longer valid in the age of legal marijuana (and other cannabis) products. "Against the backdrop of changes in federal law and widespread state legalization, such safety concerns are now notably absent for many marijuana users." *Carson* Slip op. at 18 (Berner, J., concurring). While *Sakyi* purports to allow for the possibility that officer safety concerns justifying a frisk may be rebutted by other factors, the Fourth Circuit has effectively treated its presumption as a per se rule. Judge Berner noted that other circuits have more nuanced approaches to whether the suspicion of drug possession supports a frisk without more.

She also disagreed that the collective knowledge of the officers on scene supported the extension of the stop. Under *U.S. v. Massenburg*, 654 F.3d 480 (4th Cir. 2011), the determination of whether a frisk is justified must be made by examining the knowledge of the frisking officer, not the collective knowledge of all officers present. She would have reached the same result by holding that the stop was not improperly extended at all (instead of the majority's conclusion that reasonable suspicion existed to prolong the stop).

District court erred by giving deference to the trial level state post-conviction court ruling and should have deferred to the state appellate court's decision only, but the state appellate court's decision was reasonable; denial of habeas relief affirmed

Steen v. Dismukes, 180 F.4th 663 (July 8, 2026). The petitioner was convicted in North Carolina state court of sexual offenses against a foster child. The prosecution largely rested on the credibility of the victim. Defense counsel's strategy at trial sought to establish that the victim had a history of lying and that he had been sexually abused by others in the past (and was therefore knowledgeable about sexual activities). The jury convicted the defendant of three counts of sex offense with a child, and those convictions were affirmed on direct appeal. The petitioner later sought state post-conviction relief. He claimed that his trial counsel was ineffective by failing to conduct a proper investigation that would have supported his theory at trial. During post-conviction discovery, the petitioner learned of medical records, social services records, and therapy records, all of which further established the victim's prior sexual experiences with others and his propensity to lie. The state post-conviction court found that the evidence did not demonstrate deficient performance or prejudice and denied relief. On review of that decision by the North Carolina Court of Appeals, the court assumed that trial counsel had performed deficiently by failing to uncover the newly discovered records but agreed that the petitioner could not demonstrate prejudice. Specifically, the court found that the jury had heard ample evidence about the victim's history of lying and of his prior sexual experiences. The petitioner then sought federal habeas relief in the Western District of North Carolina. The district court denied relief, finding that it owed deference to the state trial court's post-conviction ruling. The petitioner appealed.

Under 28 U.S.C. 2254(d), a federal court may only grant relief for a state-court claim that was fully adjudicated on the merits if the state court decision was "(1) contrary to, or involved an unreasonable application of, clearly established federal law, or (2) based on an unreasonable determination of the facts." The state court to which deference is owed by the federal habeas court is the last state court to explain its decision on the merits. Where the state court decides only one element of a post-conviction claim and is silent as to other elements, the federal habeas court owes deference to the state court as to the decided element but must review any other elements de novo. Here, the state court of appeals decided the prejudice prong of the ineffective assistance claim but did not adjudicate the deficient performance claim. The district court therefore erred by deferring to the state trial court's post-conviction ruling; it was the state court of appeals decision only that was due deference from the federal habeas court.

Here, the state appellate court's ruling that the defendant could not meet the prejudice prong of a *Strickland* ineffective assistance of counsel claim was reasonable. In the words of the unanimous court:

> The North Carolina Court of Appeals thoroughly explained its decision that Steen failed to show prejudice from his trial counsel's alleged deficiency. The court acknowledged Steen's argument that the additional records would have provided evidence that [the victim] tended to lie and that [the victim] had other exposure to sexual conduct. But the court ultimately concluded that such evidence would have been cumulative. While some fair-minded jurists could conclude that Steen did show prejudice, others could disagree. So, we cannot say that the state appellate court's decision 'involved an unreasonable application' of 'clearly established Federal law.' When reasonable minds can disagree, [the Anti-Terrorism Effective Death Penalty Act] calls for deference to the state-court decision. *Steen* Slip. op. at 672 (internal citation omitted).

Given that the prejudice analysis disposed of the ineffective assistance claim, the court did not need to decide whether trial counsel's performance was deficient.

The district court's judgment was therefore affirmed in full.

Divided panel finds guards entitled to qualified immunity on deliberate indifference claim stemming from murder of an inmate; summary judgment to prison officials affirmed

Jackson v. Bush, 181 F.4th 407 (July 9, 2026). The decedent was an inmate in South Carolina. He suffered multiple attacks by different inmates before being transferred to a maximum-security prison. He reported being threatened there as well and was assaulted at least once at the new facility. On the day of the decedent's murder, a guard and a trainee were assigned to let inmates with jobs out of their cells. The guard was not usually assigned to this ward of the prison and was unfamiliar with the inmates. An unknown inmate told the guard that two other inmates were barbers and were allowed out of their cells to perform haircuts. Under policy, the guard should have checked the list of inmate workers to verify this information, but he failed to do so. Instead, he asked the two inmates if they cut hair and they responded in the affirmative. The guard then let them out of their cells. One of those inmates was not actually a barber. Once released from his cell, that inmate grabbed a homemade ice pick and stabbed the decedent. Another guard came on duty around the same time to relieve the first guard. The injured inmate and another inmate attempting to help him tried to convince the new guard to let them out to get medical attention, but she initially did not believe them. Once she realized one of the men was seriously injured, she called for medical assistance. A different guard transported the decedent to the gate of the prison, where they met the medical team. The decedent later died at the hospital from his wound.

The decedent's estate sued the guards and other prison officials for Eighth Amendment violations, claiming that the defendants knew that the decedent faced serious threats from others within the prison and both failed to protect him from the danger and failed to provide adequate medical care once he was hurt. The district court granted summary judgment to the defendants and the estate appealed.

The Fourth Circuit affirmed. There was no evidence that the guard in training was aware of the risks to the decedent, and she had no reason to know that the guard training her failed to check the list of authorized prison workers. The district court's grant of summary judgment as to her was therefore correct. As to the more senior guard, there was no evidence that he was aware that the decedent had issues with other inmates and he had no reason to believe that letting other inmates out around him posed a serious threat to the decedent. He also had no information leading him to believe that the inmate who committed the murder was in possession of a weapon. According to the court:

> [The guard's] lax verification standards are troubling. So is the fact that [the murderer] walked around the dorm with a weapon for over six minutes. But the deliberate indifference standard is a high one, and [the plaintiff] did not establish that [the guard] acted with the requisite state of mind. *Jackson* Slip op. at 13.

As to the claims against other guards involved in the incident, the plaintiff admitted at oral argument that his claim against the defendant-guard who transported him to the prison gate was not viable. The court agreed, finding that no evidence supported imposing liability on that guard. Nor could liability be imposed upon the guard who came to relieve the first two guards and failed to immediately open the door. For one, the plaintiff forfeited this argument by failing to specifically object to the magistrate's findings that the actions of this defendant did not rise to the level of deliberate indifference. The claim also failed on the merits, since there was no evidence that this defendant was immediately aware that the decedent needed urgent medical care or that she delayed acting once she realized the decedent was injured. Finally, a supervisory liability claim against the associate warden also failed for similar reasons—the plaintiff admitted his claim against this defendant failed at oral argument and the district court correctly found that there was no evidence this defendant knew or should have known that the guards who failed to check the inmate worker list posed any risk to the inmates. "Since [the plaintiff] didn't establish an underlying constitutional violation, the officers are entitled to qualified immunity and summary judgment." *Id*. at 16.

Judge Gregory concurred in part and dissented in part. While he agreed with the majority that many of the defendants were entitled to qualified immunity, he would have found that the claim against the guard who failed to check the inmate worker list should have survived and faulted the majority for failing to view the evidence in the light most favorable to the plaintiff.

Manual searches of digital devices at the border are routine border searches and need not be justified by individualized suspicion of wrongdoing

U.S. v. Cardozo, 181 F.4th 461 (July 13, 2026). The defendant was returning to the U.S. from Bolivia through the District of Columbia. A Customs and Border Protection agent asked him to unlock his two iPhones and the defendant did so. In the hidden photo galleries of the phones, the agent found child sexual abuse material (CSAM) within about two minutes. The defendant was subsequently indicted in the Eastern District of Virginia for various child exploitation and possession of CSAM offenses. He moved to suppress. The district court denied the motion after an evidentiary hearing and the defendant entered a conditional guilty plea, reserving his right to appeal the denial of his motion.

Because of the government's strong interest in preventing the movement of contraband into the country at international borders, searches and seizures at the border do not require probable cause or a warrant. *U.S. v. Montoya de Hernandez*, 473 U.S. 531, 537 (1985). For routine searches, the government is not required to have any level of individualized suspicion. *U.S. v. Kolsuz*, 890 F.3d 133, 146-47 (4th Cir. 2018). For nonroutine border searches, the search or seizure must be justified by reasonable suspicion of wrongdoing. *Id*. Further, nonroutine border searches must have some connection to the purposes of the border search exception to the warrant requirement—"protecting national security, collecting duties, blocking the entry of unwanted person, or disrupting efforts to export or import contraband." *U.S. v.*

Aigbekaen, 943 F.3d 713, 721 (4th Cir. 2019). A search is nonroutine when it is "'highly intrusive [implicating] especially significant 'dignity and privacy interests,' as well as destructive searches of property and searches carried out in 'particularly offensive' manners[.]" *Kolsuz*, 890 F.3d at 138 (internal citation omitted). However, the U.S. Supreme Court has never found that a search of a person's property at the border amounted to a nonroutine search.

In *Kolsuz*, the Fourth Circuit determined that a *forensic* search of a cell phone at a border was a nonroutine search requiring individualized suspicion. *Id*. at 137. The defendant here argued that the manual search of his phones at the border was a likewise nonroutine search. The Fourth Circuit unanimously disagreed. While recognizing that cell phone searches implicate significant privacy interests, the court distinguished manual searches of digital devices from forensic searches on several grounds. A forensic search involves running the data on a digital device through a machine or software that produces a copy of the entirety of the contents of the device, while a manual search is limited by what an officer sees in the moment. The manual search is therefore limited by the officer's "time, patience, and attention," while a forensic search is not. *Cardozo* Slip op. at 16. Manual searches reveal only what any other user of the device could discover by operating the device, while digital search can show much more, including "deleted files, cached fragments, location histories, system logs and metadata . . ." *Id*. Finally, the fruits of a manual search depend on the officer's memory or notes of the search, while a forensic search produces a "permanent, portable and searchable duplicate of the device." *Id*.

Joining every other circuit court to have considered the question, the court found that manual searches of digital devices at the border are routine and do not require reasonable suspicion. The court cautioned that extended manual searches that deprived the owner of access to the digital device for long periods of time may still violate the Fourth Amendment, but the two-minute search here did not implicate such concerns.

The judgment of the district court was therefore unanimously affirmed.

No error to allow competent defendant to represent himself despite health issues; no error to refuse request to voir dire jurors on potential media exposure after the defendant was held in contempt

U.S. v. Snyder, 181 F.4th 494 (July 14, 2026). The defendant was a successful lawyer in Maryland focusing on medical malpractice work on behalf of plaintiffs for almost fifty years. While representing two clients in settlement discussions against the University of Maryland Medical System ("the hospital"), he connected with the hospital's chief medical officer. The defendant later met with the chief medical officer at a dinner the defendant arranged, where he presented a plan to bring discredit to the hospital by creating a negative media campaign targeting the hospital's organ transplant program. He requested that the hospital employ him as a consultant or in another capacity for $25 million dollars in exchange for him agreeing to refrain from the negative publicity campaign. The defendant continued texting the chief medical officer and reiterating his demand, and he raised the issue again in another meeting with hospital officials and attorneys a month later. At a subsequent meeting around two months later, the defendant told the hospital officials and attorneys that he would settle one of his pending cases for $5 million dollars and that this settlement would be in addition to the $25 million dollar payment to be made to him personally. The hospital attorney believed this was attempted extortion and contacted the FBI. In later conversations between the defendant and hospital attorneys, one of the hospital attorneys recorded the discussion, which again included the defendant's demand for a personal payout.

Around two years later, the defendant was indicted in the District of Maryland for attempted extortion and other crimes. Although he initially hired defense counsel, that attorney withdrew from the case and the defendant told the court that he wished to proceed pro se. A magistrate judge confirmed the defendant's desire to represent himself during a *Faretta* hearing and ultimately determined that the defendant knowingly, voluntarily, and intelligently waived his right to counsel. Standby counsel was appointed. The defendant developed significant health problems during the pretrial proceedings which he shared with the court, and at one point, he fell and injured himself in while in the bathroom at the courthouse. The district court raised the possibility of standby counsel taking over representation of the case, but the defendant was adamant about proceeding pro se. In a later evidentiary hearing, the district court prohibited the defendant from raising personal criticism of the former prosecutor in the case before the jury. At this hearing, the defendant told the district court that doctors were examining whether he had Parkinson's disease. The district court again raised the issue of whether the defendant should continue representing himself and warned the defendant of the difficulties of proceeding as his own attorney. The district court ordered the defendant to appear before the magistrate again in two days to further discuss the issue. The magistrate judge conducted another *Faretta* hearing and reinforced the potential risks to the defense case by the defendant persisting in self-representation. The defendant again insisted on representing himself.

At trial, the defendant violated the court's order to refrain from mentioning the former prosecutor several times, attempted to testify through his questions to witnesses, became personally abusive towards witnesses, and raised irrelevant matters. The district court eventually noted the defendant's abusive behavior for the record and placed limits on the defendant's cross-examination and final argument. After the close of evidence but prior to the verdict (and outside the presence of the jury), the district court found the defendant in contempt of court and ordered him into custody overnight. The next day, the defendant requested that the court question the jurors on potential media exposure to the contempt finding. The district court declined. The jury convicted on all counts and the defendant appealed (this time, with an attorney).

He argued that the district court should not have let him proceed pro se or should have revoked his ability to proceed pro se once it became aware of his mental and physical health concerns. The Fourth Circuit rejected this claim. "[A] defendant who is competent to stand trial is necessarily competent to waive his right to counsel." *Synder* Slip op. at 12. The defendant here was competent to proceed throughout the proceedings and his appellate counsel conceded as much at oral argument. Further, although the district court could have revoked the defendant's pro se status and required him to proceed with counsel under *Indiana v. Edwards*, 554 U.S. 164 (2008), it was not required to do so on these facts. "[W]hile a court *may* impose a 'higher standard' on a defendant before permitting him to waive counsel and proceed pro se, nothing *requires* a court to do so." *Synder* Slip op. at 13-14 (internal citations omitted) (emphasis in original). The defendant's poor performance acting as his own attorney at trial did not change that fact, and the district court did not err by permitting the defendant to represent himself throughout the proceedings.

There was also no error in the district court's refusal to voir dire the jury on media exposure to the contempt finding. The district court repeatedly instructed the jury that they were to avoid media, refrain from conducting independent investigation into the case, and to bring any external information about the case to the attention of the court. As the district court noted in denying the defendant's request, there was an equal chance that the district court questioning the jurors on the contempt issue would have prejudiced the defendant by drawing extra attention to it.

Other challenges to the jury instructions and to an evidentiary ruling were similarly rejected, and the district court's judgment was unanimously affirmed.

State court decision that the defendant's reference to excluded evidence during opening statements supported a mistrial was not unreasonable and was due deference by the federal habeas court; grant of habeas relief reversed

Wood. v. Straughn, 182 F.4th 382 (July 17, 2026). The defendant was accused of sexual offenses against a child in West Virginia state court. During pretrial proceedings, the trial court entered an order excluding two categories of evidence—a video interview of the victim with an employee of a child advocacy center and expert witness testimony from a social worker from whom the child received therapy. During opening statements, defense counsel repeatedly referred to statements made by the victim to the same two witnesses who were the subject of the earlier evidentiary rulings. The state objected that the defense opening statement violated the court's order and sought to have the excluded evidence admitted on the basis that the defendant had opened the door to that evidence. The defense argued that the earlier court order applied only to the state. The trial judge disagreed and initially ruled that the defendant would have to deal with the consequences of the jury not hearing the referenced statements during evidence. After further argument from the defense, the trial judge decided that the statements could be used by the defense for impeachment of the victim only but could not be used during cross-examination of the child advocacy employee or expert social worker. If the victim's statements to these witnesses were used during cross-examination of the victim, then the excluded evidence could be admitted. The prosecution told the court that this was acceptable but mentioned that it had prepared its witnesses on the understanding that the excluded evidence would not be admitted at trial and complained that the defendant had informed the jury that it would be. Further discussions devolved into a debate about what could and could not be admitted if the victim made inconsistent statements. At this point, the trial court asked the parties if either side wanted a mistrial. Over the defendant's objection, the judge granted the state's motion for a mistrial in the interest of fundamental fairness.

When the defendant's case was called for retrial, he moved to dismiss for a double jeopardy violation. The trial court denied that motion, finding that the defense's references to excluded evidence during opening statements at the first trial created a manifest necessity. The defendant sought review of that decision from the state appellate court, but it summarily denied review. The defendant then sought habeas review and a stay of the proceedings from the federal district court in the Northern District of West Virginia. That request was dismissed without prejudice, and the state trial resumed. The defendant was ultimately convicted on all counts and sentenced to a minimum term of imprisonment of around 70 years. The Supreme Court of Appeals of West Virginia rejected the defendant's appeal, including his double jeopardy argument.

The defendant then returned to federal district court, once more pressing the double jeopardy issue. Although the magistrate judge originally recommended dismissing the petition, the district court granted the petition, finding that the mistrial was unsupported by a manifest necessity. The state appealed and a unanimous panel of the Fourth Circuit reversed. The state appellate court found that the defendant invited the mistrial by violating the trial court's evidentiary ruling, and that ruling was entitled to deference in federal habeas proceedings. That ruling was also not an unreasonable application of established federal law, so the defendant was not entitled to federal habeas relief. "If we were reviewing Wood's argument in the context of a direct appeal, we might find it a closer question. But within the confines of [federal habeas review of a state conviction], we cannot say that the state-court decision in this case was unreasonable." *Wood* Slip op. at 27.

The judgment of the district court was therefore unanimously reversed, and the matter was remanded with instructions to deny the petition.

Partial courtroom closure was justified despite absence of formal findings by the district court; no violation of the right to a public trial

U.S. v. Ellis, 182 F.4th 403 (July 20, 2026). In this case from the Eastern District of North Carolina, the defendant was on trial for drug trafficking. He also had a pending murder charge in state court, where he was alleged to have killed and dismembered a confidential informant who was working for the government in its drug investigation. During its case in chief, the government called a cooperating witness who had bought drugs from the defendant on behalf of the government and taken other steps to aid the investigation. After an overnight recess, a U.S. Marshall reported to the court that a courtroom spectator was repeatedly clicking his teeth during the witness's testimony and that the Marshall suspected the actions were aimed at influencing the testimony. Counsel for the government noted that the witness's testimony was "very different than when we prepped him" and that the witness seemed reluctant to give complete answers. The witness's own counsel also noted that the witness "seemed a little off" and would not say whether he was being intimidated. In response, the district court ordered a partial courtroom closure for the remainder of the witness's testimony, only allowing in the defendant's wife and daughter and the parents of defense counsel as spectators. In all, the courtroom was partially closed to the public for around an hour. The defendant was convicted of trafficking and conspiracy and sentenced to 480 months. He appealed, complaining that the partial closure violated his Sixth Amendment right to a public trial.

A violation of the right to a public trial is a structural error, requiring reversal without regard to any prejudice to the defendant. *U.S. v. Gonzalez-Lopez*, 548 U.S. 140, 149 (2006). To justify a complete courtroom closure, the party requesting closure must demonstrate (1) an "overriding interest that will likely be prejudiced absent closure; (2) the closure must not be broader than is needed to address that interest; (3) the trial court must consider reasonable alternatives to complete closure; and (4) the trial court must make findings of fact to justify the closure." *Georgia v. Waller*, 467 U.S. 39, 48 (1984). To justify a partial courtroom closure, however, the Fourth Circuit and almost all other circuit courts require the party requesting the partial closure needs only to advance only a substantial reason, rather than an overriding interest. *U.S. v. Smith*, 117 F.4th 584, 597 (4th Cir. 2024). If the party makes that showing and the other factors of the *Waller* test are met, the partial closure may be justified and will not violate the defendant's right to a public trial.

Here, because the courtroom was largely closed to the public for only one hour during a multi-day trial, the closure was partial. The government argued that the closure was so minimal as to not implicate the defendant's right to a public trial. The court disagreed. While partial closure for administrative or other trivial reasons (such as overcrowding) does not implicate the right to a public trial, the closure here was not trivial. Nonetheless, the partial closure was justified under the modified *Waller* test. The closure was ordered in order to protect the witness from attempted intimidation, and this met the substantial reason prong. The closure was no broader than necessary to accomplish that purpose, as some members of the public and courtroom personnel were allowed in and there was no evidence that other members of the public were actually excluded during the one-hour closure. The district court considered a full closure of the courtroom and ultimately ordered a more narrow, partial closure; this was sufficient to meet the third factor. Finally, while the district court failed to make formal findings of fact or issue a detailed order on the partial closure, the record reflected the district court's reasons for the order. Not only did the district court allow all parties to be heard prior to ordering the closure, it was also known to the court and the parties that the defendant was charged with the murder of a cooperating witness. "At bottom, we conclude that the district court's partial closure for an hour during this four-day trial was justified under the modified *Waller* framework for partial courtroom closures." *Ellis* Slip op. at 17.

The district court was therefore affirmed.

Judge Richardson dissented. He would have found that the district court's failure to make formal findings and failure to consider options other than closure did not satisfy the modified *Waller* test. He would have therefore vacated the conviction and ordered a new trial.

Where the government repeatedly transferred immigration detainee without notice or the opportunity to contact family or counsel, the unknown custodian exception applied and the district in which the petitioner was taken into custody was the proper venue for a habeas petition

Suri v. Trump, ___ F.4th ___; 2026 WL 2123557 (July 23, 2026). The petitioner, an Indian national, was granted a J-1 visa in 2022 to work on a postdoctoral fellowship at Georgetown University. His wife was a U.S. citizen with a Palestinian background. Several family members of his wife were killed in the ongoing hostilities in Gaza, and she frequently criticized the war between Israel and Palestine online. She sometimes made posts in support of Palestine and criticizing the U.S.'s role in supporting the Israeli military. The State Department began a new program in 2025 with the goal in mind of revoking student visas for people who sympathized with terrorists, and the petitioner was identified as a target. The State Department determined that the petitioner was eligible for deportation and subsequently determined that he should be held in custody pending removal proceedings. At 9:30 p.m. one evening, agents from DHS approached the petitioner as he was coming home. They told the petitioner his visa had been revoked and that he was being arrested for "social media." He was taken into custody by the agents in the Eastern District of Virginia. Within 11 hours of his arrest, the petitioner was taken to three different detention centers—one in Chantilly, Virginia, then one in Farmville, Virginia, and finally to Richmond, Virginia. The petitioner was not permitted to contact his family after the third transfer, and no authorities contacted the family to inform them of the changes in location. After a few hours in Richmond, the petitioner was flown to a deportation holding facility in Alexandria, Louisiana. He again was not permitted to contact his wife or other family about the change in his location. The next day, the petitioner was flown to a detention center in New York, where he was ultimately held until he was released.

The petitioner's friends and family obtained the services of counsel to contest the petitioner's removal. The day after he was taken into custody, an attorney filed an electronic notice of appearance in his immigration case. The petitioner did not appear at all in ICE's online detainee locator system; other records showed that he was being held in Texas. The same day, counsel for the petitioner filed a petition for writ of habeas corpus in the Eastern District of Virginia, arguing that the immigration proceedings and custody order were retaliation for his protected speech and violated the First and Fifth Amendments. Only two days later did ICE records show that the petitioner was currently being held in Louisiana. The district court ordered that the petitioner not be removed from the country until it ordered otherwise. The government moved to dismiss the habeas petition on grounds that the district court lacked jurisdiction and, alternatively, to transfer venue to Louisiana.

While venue for habeas petitions usually lies where the person is being held, there is an exception to that general rule when the custodian of the person cannot reasonably be determined. The district court applied this "unknown custodian" exception to deny the government's motion, finding that counsel for the petitioner could not have discovered that the petitioner was being held in Louisiana at the time of the filing. The district court also found that the government had intentionally obscured the petitioner's location by the frequent transfers between facilities for purposes of frustrating habeas review, and that this too warranted an exception from the normal venue rules. Counsel for the petitioner then moved for bail, which the district court granted contingent on the petitioner's participation in the ongoing removal proceedings. The government appealed that decision and requested a stay. The Fourth Circuit rejected the request for a stay in an earlier proceeding, agreeing with the district court that the unknown custodian exception applied to the facts of the case and that the government's arguments were not likely to prevail. The merits of the bail and jurisdictional decisions of the district court were the issues in the present case.

A divided panel of the Fourth Circuit affirmed. The majority rejected the government's arguments that the petitioner had failed to meet procedural requirements for habeas, that the denial of the government's motion for change of venue was an abuse of discretion, and that provisions of the Immigration and Nationality Act deprived the district court of jurisdiction to act. In the words of the court:

> The scope of habeas corpus must not be subject to manipulation by those whose power it is designed to restrain. Specifically, the writ is a critical check on the Executive, ensuring that it does not detain individuals except in accordance with the law. To hold that the political branches have the power to switch the Constitution on and off at will would lead to a regime in which Congress or the President declare what the law is—a striking anomaly in our tripartite system of government. *Suri* Slip op. at 63.

Judge Wilkinson dissented and would have found that provisions of federal immigration law deprived the district court of jurisdiction. He would have reversed the district court and dismissed the petition.

District court erred in denying the defendant's request to represent himself made after trial but before sentencing was scheduled

U.S. v. Jaqu, ___ F.4th ____; 2026 WL 2147875 (July 27, 2026). The defendant was prosecuted for drug and gun offenses in the District of South Carolina. He had court-appointed counsel throughout his trial but was ultimately convicted of several offenses. After the trial, probation prepared a presentence report in anticipation of sentencing. At that point, the defendant notified the court that he wished to fire his attorney and represent himself. This occurred four or five months after trial but before the sentencing hearing had been scheduled. During an ex parte hearing on the request with the defendant and his counsel, the defendant repeatedly asserted that he wished to self-represent and that his relationship with counsel was "horrible." Despite repeated warnings about the risks of representing himself from the district court, the defendant maintained his position that he wished to act as his own counsel at sentencing. The district court ultimately denied the request as untimely and appointed new defense counsel. At the sentencing hearing, the defendant refused to be sworn and stated that he disagreed with having new counsel represent him. He was sentenced to 388 months and appealed, complaining that the district court violated his Sixth Amendment right to self-representation. A unanimous panel of the Fourth Circuit agreed.

A defendant's request to represent himself "must be (1) clear and unequivocal; (2) knowing, intelligent, and voluntary; and (3) timely." *Jaqu* Slip op. at 3 (citation omitted). When a defendant makes a request mid-trial to represent himself, the request is not timely and may be denied in the discretion of the trial court. *U.S. v. Lawrence*, 605 F.3d 1321, 1325 (4th Cir. 1979). The district court relied on this law when it denied the defendant's request, finding that the request made months after trial was not timely. However, the requirement that the request to self-represent be timely is to "minimize disruptions" and "avoid inconvenience and delay." *Jaqu* Slip op. at 6 (citation omitted). The process of preparing for a federal sentencing hearing typically takes considerable time, including the time needed to prepare a sentencing report and the time that the defendant has to object to the report. When the request is made after trial but before sentencing (and only for the purpose of representation at sentencing), concerns of delay and disruption are not implicated. "We thus conclude that a request for self-representation made after trial but before sentencing is not subject to the discretion of the district court if the criteria for self-representation are otherwise met." *Id*. at 7. The district court therefore erred by failing to conduct a *Faretta* hearing on the defendant's request.

Violations of the right to self-representation are not subject to harmless error analysis, so the district court's judgment was vacated, and the matter was remanded for a new sentencing hearing.

Virginia's vanity license plate scheme involves private speech subject to First Amendment protections; district court erred in concluding the messages on the plates were government speech

Whateley v. Lackey, ___ F.4th ___; 2026 WL 2206727 (July 31, 2026). Virginia, like many states, allows drivers to customize vanity license plates for a fee. About 11% of all state drivers choose to do so. The Virginia Division of Motor Vehicles (DMV) reserves the right to refuse or revoke plates that may be reasonably interpreted as "profane, obscene, or vulgar . . . sexually explicit or graphic . . . used to describe intimate body parts or genitals . . . excretory-related . . . used to condone or encourage violence . . . [or] used to describe illegal activities or illegal substances." The plaintiff requested and initially obtained a license plate reading "FTP&ATF." After using the custom plate for over a year, someone complained to the DMV that the plate was offensive and stood for "F*ck the police and Alcohol, Tobacco, and Firearms." Virginia DMV subsequently revoked the custom plate on the justification that it was both "profane, obscene, and vulgar," and condoned or encouraged violence. After losing administrative appeals over the revocation, the plaintiff sued the commissioner of the DMV in the Western District of Virginia, claiming that the custom license plate was protected speech and complaining that the DMV was engaging in viewpoint and content discrimination by revoking it.

The district court granted the DMV's motion to dismiss, finding that the license plates amounted to government speech and were therefore not subject to normal First Amendment rules. The plaintiff appealed to the Fourth Circuit, and a unanimous panel of the court reversed.

In *Walker v. Texas Division, Sons of Confederate Veterans, Inc.*, 576 U.S. 200 (2015), the U.S. Supreme Court found that a specialty license plate scheme in Texas was government speech and not private speech (and thus was exempt from First Amendment protections). In that case, the Sons of Confederate

Veterans, Inc. sought to have Texas create a license plate with the name of their organization. *Walker* did not consider Texas's vanity plate scheme, like the one challenged here. In the wake of *Walker*, most courts have determined that personalized vanity license plates are private speech deserving of First Amendment protections, although a substantial minority of jurisdictions have treated them as government speech. The Fourth Circuit is the first circuit court of appeals to consider the question since *Walker*.

Walker laid out three factors for a court to consider when assessing whether speech is government speech or private speech: 1) the "history of the expression at issue" and whether "governments have long used it to speak to the public;" 2) "the public's likely perception as to who (the government or a private person) is speaking;" and 3) "the extent to which the government has actively shaped or controlled the expression." *Id*. at 15 (internal citations omitted). Here, all three factors supported the notion that the message on the vanity plates was private speech. "It follows . . . that Virginia's regulation of those messages and its recall of Whateley's 'FTP&ATF' plates are subject to First Amendment scrutiny." *Id*. at 27. While the *plate* itself may be government speech meant to convey that the vehicle is registered with the state, the custom *message* written on the plate was private expression. On remand, the district court should conduct an analysis under the public forum doctrine to determine what type of forum Virginia has created by way of its vanity plate program, which will in turn determine whether the plaintiff's First Amendment claim succeeds.

The district court's order of dismissal was therefore vacated, and the matter was remanded for additional proceedings.

Officer's entry into the home was justified by the emergency aid doctrine; officer's use of deadly force was reasonable under the circumstances; grant of summary judgment to law enforcement defendants affirmed

Crosby v. Colleton County Sheriff's Office, ___ F.4th ___; 2026 WL 2206728 (July 31, 2026). The decedent's wife called 911 to report that her husband had threatened to hurt himself and requested that police perform a welfare check. An officer responded to the home where the decedent was located and knocked on the front door for several minutes without a response. The officer then went to a screen door and called out for the decedent. He again got no response but could hear a dog barking inside. The officer checked and determined that the man was not inside of the truck parked in front of the residence and retrieved a flashlight from his patrol car. The officer then entered the screened-in porch and knocked on an inner glass door separating the porch from the interior of the home. He once more got no response but continued hearing the dog bark. After looking through a window and noticing lights on upstairs in the home, he entered the unlocked front door and announced himself as law enforcement. After getting no response, he exited the front door and approached another set of doors on an upstairs deck of the home. The officer entered one of these unlocked doors but got no response to announcing himself and calling out for the decedent. He found the other door on the deck locked. The officer then went back to the screened-in porch on the first floor and looked into the home, where he saw a cell phone on the floor alongside a pill bottle and an open notebook. The officer believed that the notebook likely contained a suicide note and requested urgent assistance from animal control to aid with the dog inside. Another officer arrived on scene, and the initial responding officer once more entered the home to try and encourage the dog to exit the home. When that failed, he again entered the unlocked upstairs deck door and began exploring the inside of the home. After noticing some ammunition on the floor, he heard the decedent call out. The decedent told the officer he was fine and that the officer should "get the hell out of my home." The officer insisted on ensuring the decedent was safe, but the decedent would only repeat his command that the officer exit his home. The officer stood in the doorway and promised not to enter the decedent's room. At this point, the decedent got up off his bed and walked towards the officer. As the officer stepped back, the decedent grabbed a rifle from the closet. The officer repeatedly yelled "No!" and "Don't" at the man while drawing his own firearm and stepping back down the hallway. The decedent raised his rifle with both hands in the direction of the officer and the officer fired four shots, killing the man.

The decedent's estate sued the officer and the Sheriff, and the Sheriff's office arguing Fourth Amendment violations for unlawful entry and excessive force, along with state law tort claims. The district court granted summary judgment to the defendants. It found that the officer acted reasonably in entering the home and in using deadly force under the circumstances and that no constitutional violation occurred. It also found that the officer was protected by qualified immunity. On appeal of that decision, a divided panel of the Fourth Circuit affirmed.

An established exception to the warrant requirement is the emergency aid doctrine. When an officer has an "'objective reasonable basis for believing' that an occupant is seriously injured or imminently threatened with such harm," they may enter a home without a warrant. *Brigham City v. Stuart*, 547 U.S. 398 (2006); *see also Case v. Montana*, 146 S.Ct. 500 (2026). Here, under the totality of circumstances, the officer was justified in making a warrantless entry into the home. The decedent's wife had reported that her husband threatened self-harm and had made similar threats in the past; the officer confirmed the man's truck was parked outside of the home; the officer got no response to repeated knocking and announcing at multiple doors of the home; the officer could see lights on inside the home and hear a dog barking without any effort from within the home to attempt to quiet the animal. This was ample justification to invoke the emergency aid doctrine. "If [the decedent] had already harmed himself, he could have been in need of immediate medical care. And if he had not already harmed himself, timely intervention could prevent him from doing so." *Crosby* Slip op. at 12. The officer's initial entries into the home were also narrow in scope—he opened doors, called out, and shined his flashlight, but did not immediately proceed to search the complete interior of the home. Only after seeing the pill bottle, open notebook, and cell phone on the floor did the officer fully enter the home. His actions where therefore reasonable and consistent with the Fourth Amendment, defeating the plaintiff's unlawful entry claims.

The same was true for the officer's use of deadly force. The officer reasonably believed that the decedent presented a serious threat of immediate injury when he raised a rifle towards the officer and ignored commands to stop. "A reasonable officer would perceive [the decedent's] actions—crossing the room to retrieve a rifle, ignoring commands to stop, and advancing towards the officer while raising the rifle with both hands—an indication of 'immediate intent to harm.'" *Id*. at 17.

Because no constitutional violations occurred, the claims against the Sheriff and Sheriff's department failed as well.

Judge Floyd dissented in part. While he agreed that the officer's entries into the home were reasonable under the Fourth Amendment, he believed that material issues of disputed fact existed as to the excessive force claim. He would have therefore reversed the grants of summary judgment to all of the defendants