

United states v. ziegler

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United States of America v. Jeffrey Brian Ziegler Ziegler, an employee of Frontline Processing, had been convicted of processing and photo of child pornography. His company, as well as the government agent, gave evidence that led to his conviction of a two year in prison and a fine of \$1000 (Appeal from the United States District Court for the District of Montana). However, before sentencing Ziegler had tried to suppress the case by arguing that the evidence that was put before the court was un-procedurally collected. He argued that his right to privacy were violated and thus contravened the right given in the constitution under the Fourth Amendment. However, his plea for suppression of his case was thrown out after it was argued that the office and an office computer does not belong to a person but it is an entity for the employer. The appellate argued that the employer pays the rent for the office and supply computer to his employee (Appeal from the United States District Court for the District of Montana).

Nevertheless, after Ziegler was convicted he appealed the ruling in the Ninth Circuit court. The court overturned the decision of the lower court by arguing that Ziegler's rights were contravened when his office machine was searched without his notice or a search warrant. The judge said that Ziegler's office attracted privacy as he did not share it with other employees. The court argued " Because Ziegler had a reasonable expectation of privacy in his office, any search of that space and the items located therein must comply with the Fourth Amendment" (Appeal from the United States District Court for the District of Montana). In conclusion, I do agree with the decision of the Ninth Circuit court that privacy in the office also is protected in the Fourth Amendment.

Works Cited

<https://assignbuster.com/united-states-v-ziegler/>

Appeal from the United States District Court for the District of Montana. No. 474 F. 3d 1184. United States Court of Appeals for the Ninth Circuit. 30 January 2007. Print.