

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CRIMINAL MINUTES – GENERAL

Case No.	2:25-cr-00380-VAP					Date	9/10/2026		
Present: The Honorable		VIRGINIA A. PHILLIPS, SENIOR UNITED STATES DISTRICT JUDGE							
Interpreter	N/A								
V.R. Vallery		N/A			Monika Hara-Not Present; Aylin Kuzucan-Not Present; Rahul R.A. Hari-Not Present				
Deputy Clerk		Court Reporter			Assistant U.S. Attorney				
U.S.A. v. Defendant(s)		Present	Custody	Bond	Attorneys for Defendant(s)		Present	App.	Ret.
(1) Melvin L. Riley		NOT		X	Gabriela Rivera; R. Reid Rowe, DFPD		NOT	X	
(2) Kenneth Michael Holly, Jr.		NOT		X	James Blatt		NOT		X
Proceedings:		(IN CHAMBERS) MINUTE ORDER DENYING DEFENDANT’S MOTION TO SUPPRESS (DKT. NO. 141)							

Before the Court is a Motion to Suppress filed by Defendant Melvin Riley. (Dkt. No. 141). After considering the briefing submitted in support of and in opposition to the Motion, the arguments advanced at the hearing on August 18, 2026, as well as the testimony elicited during the September 3, 2026 evidentiary hearing, the Court rules as follows:

I. Background

A. Factual Background

This case arises out of two separate kidnappings and robberies in Los Angeles on February 5, 2025 and March 17, 2025, respectively.

i. Investigation of the alleged February 5, 2025 kidnapping and robbery

Accordingly to the Government, Culver City Police Department (“CCPD”) Detective Chelsey Preston investigated the kidnapping and robbery of Victim L.F. (Dkt. No. 165-2 (“Preston Decl.”) ¶ 2). During the investigation, L.R. summarized the February 5, 2025 incident for Detective Preston, clarifying that that while one suspect was in her car as she drove, a second suspect trailed closely behind her car in a white sedan. (*Id.* ¶ 3). L.R. also provided her license plate number to assist the investigation. (*Id.* ¶ 4). Upon receiving this information, Detective Preston queried CCPD’s Flock database for images of L.R.’s car on February 5, 2025, the day of the alleged robbery. (*Id.* ¶ 5). The query revealed that L.R.’s car passed three Culver City Flock cameras. (*Id.* ¶ 6). Detective Preston also identified three photographs of a white Dodge Charger trailing behind L.R.’s car at each Flock camera location. (*Id.* ¶¶ 5, 7). From these

photographs, Detective Preston identified the white Dodge Charger's license plate number and discovered that the car was rented from Enterprise Car Rentals located in downtown Los Angeles. (*Id.* ¶¶ 6–7). Detective Preston followed up with Enterprise to identify the suspect's name. (*Id.*) She then searched the Culver City Flock database for the Dodge Charger's license plate number and discovered one additional photograph. (*Id.* ¶ 8).

All told, Detective Preston reviewed less than 100 photographs from the CCPD Flock camera database, 4 of which were photographs of the white Dodge Charger used during the L.F. kidnapping and robbery. (*Id.* ¶ 9).¹

ii. Investigation of the alleged March 17, 2025 kidnapping and robbery

Accordingly to the Government, Los Angeles Sheriff's Department ("LASD") Detective Carlos Maciel investigated the kidnapping and robbery of Victim M.R. (Dkt. No. 165-4 ("Maciel Decl.") ¶ 2). During the investigation, Detective Maciel learned that the victim's contact with the suspects ended at a McDonald's in Carson. (*Id.* ¶ 3). M.R. provided investigators the McDonald's address and his own license plate number. (*Id.* ¶¶ 3–4). He also explained that a second suspect driving a Chevrolet Malibu trailed them into the McDonald's parking lot. (*Id.* ¶¶ 3–4).

Detective Maciel reviewed the McDonald's surveillance footage and confirmed that M.R. entered the McDonald's parking lot with one suspect in his car and a second suspect trailing closely behind in a gold Chevrolet Malibu. (*Id.* ¶ 3). Detective Maciel then queried LASD's Motorola Automated License Plate Reader ("ALPR") system for Carson. (*Id.* ¶ 4). He identified four intersections through which M.R.'s car passed and discovered four photographs of the gold Chevrolet Malibu passing through those very intersections as well. (*Id.* ¶ 5). From the photographs, Detective Maciel identified the Chevrolet Malibu's license plate number, and LASD investigators determined that the vehicle was rented from an Enterprise Car Rentals in Los Angeles. (*Id.* ¶ 6). Enterprise provided records associated with the car, which showed it was rented to Defendant Holley on the date of the alleged robbery. (*Id.*)

Apart from querying Carson's ALPR database, Detective Maciel contacted a Home Depot in the same shopping center as the McDonald's to determine if they had surveillance footage of the car. (*Id.* ¶ 7). Home Depot affirmed that they had surveillance footage of a gold sedan entering the shopping center parking lot and that their own Flock ALPR system captured an image of the gold sedan's license plate. (*Id.* ¶ 8). Home Depot provided Detective Maciel with the ALPR photograph of the license plate. (*Id.*)²

¹ Defendant does not contest the investigative facts set forth in Detective Preston's August 27, 2026 declaration.

² Defendant does not contest the investigative facts set forth in Detective Maciel's August 27, 2026 declaration.

iii. Culver City's Flock Camera System

Culver City's Flock ALPR system is comprised of fifty-two cameras stations at twenty-eight intersections, covering four percent of the city's intersections. (Dkt. No. 165 at 14). The city's Flock cameras primarily capture photographs of vehicles entering and leaving the city; they do not capture live video. (Dkt. No. 165-1 ("Thompson Decl.") ¶¶ 7, 10). Many of the cameras capture both opposing lanes of traffic and are placed solely along public roadways, not private property. (*Id.* ¶¶ 7, 9). The cameras do not employ facial recognition technology and are designed to capture photographs of a vehicle and the attached license plate. (*Id.* ¶¶ 10–11). Images captured by the cameras are transmitted to a Flock database. (*Id.* ¶ 12). On average, the database contains approximately 18 million photographs a month, which includes duplicates, blurry photographs, and images of cars that do not have license plates. (*Id.*) The Flock database is only accessible by CCPD officers and detectives. (*Id.* ¶ 13). Culver City maintains photographs in the Flock database for thirty days at which point the data is wiped and no longer accessible. (*Id.* ¶ 14). CCPD officers can search the database using various criteria, including license plate number, location, roof rack, back rack, decals, bumper stickers, make, model, or color of a specific vehicle. (*Id.*, Dkt. No. 175 at 21:1–22:2). There is no means for private citizens to prevent their information from being photographed and stored in Culver City's Flock camera network. (Dkt. No. 175 at 27:16–28:5).

iv. The City of Carson's Motorola ALPR System

During the pertinent time period, Carson's Motorola ALPR system was comprised of eighty-five fixed cameras and four trailers in thirty-one individual locations, capturing approximately seventy-five percent of the city's entry points. (Dkt. No. 165-3 ¶¶ 5–7). A significantly smaller percentage of Carson's overall intersections are surveilled by ALPR's. (*Id.* ¶ 7). Each camera's field-of-view is narrowed to photograph only the general location of the license plate. (*Id.* ¶ 9). Data captured by the Carson ALPR system is maintained in a database that Carson law enforcement can search. (*Id.* ¶ 13). In April 2025, the data was maintained for five years, and only LASD and any sharing agency had access to Carson's ALPR database. (*Id.*) Moreover, only officers with Unit Commander approval were permitted to search the database. (*Id.* ¶ 15). In April 2025, approved officers were required to provide a case number, report number, or investigation number to prompt a search. (*Id.*). Such officers can search for data in various ways, including using a known or partially known license plate number. (*Id.* ¶ 14). Alternatively, officers can review data from a particular intersection to determine which license plates passed through that intersection. (*Id.*) Similar to Culver City's Flock camera network, private citizens cannot opt out of being photographed on LASD's Motorola ALPR cameras. (Dkt. No. 175 at 84:5–19).

B. Procedural Background

On May 15, 2025, the Government filed an indictment charging Defendant Riley with two counts of Hobbs Act Robbery. (Dkt. No. 20). On June 26, 2025, the Government filed the operative First Superseding Indictment ("FSI"), charging Defendant Riley and Co-Defendant Kenneth Holley Jr. with six total counts, including conspiracy to commit robbery, in violation of 18 U.S.C. § 1951(a) (Counts One), conspiracy to commit kidnapping, in violation of 18 U.S.C.

§ 1201(c) (Count Two), two counts of Hobbs Act Robbery, in violation of 18 U.S.C. § 1951(a) (Counts Three and Five), and two counts of kidnapping, in violation of 18 U.S.C. § 1201(a)(1) (Counts Four and Six). (Dkt. No. 41).

On June 30, 2025, Defendant filed a Motion to Sever and Objection to Continuing Trial in Violation of Melvin Riley's Right to a Speedy Trial, (Dkt. No. 50), that the Court denied on July 2, 2025, (Dkt. No. 56).

Defendant filed the instant Motion to Suppress ("Motion") on July 15, 2026. (Dkt. No. 141). The Government filed its Opposition on August 3, 2026. (Dkt. No. 150). Defendant filed his Reply on August 10, 2026. (Dkt. No. 152). On August 16, 2026, Defendant Holley filed a joinder to join the Motion. (Dkt. No. 157).

On August 18, 2026, the Court granted in part and denied in part Defendant's Motion, ordering an evidentiary hearing to allow the parties to further develop the factual record concerning the scope of Culver City's Flock camera network in Culver City and, relatedly, whether law enforcement's query of Culver City's Flock database violated Defendant's Fourth Amendment privacy interests. (Dkt. No. 160). On August 26, 2026, Defendant filed an Unopposed Motion to Amend Motion to Suppress, seeking leave to amend the Motion to encompass the City of Carson's Motorola ALPRs. (Dkt. No. 162). On August 27, 2026, the Court granted Defendant's Motion to Amend. (Dkt. No. 163).

On August 31, 2026, the Government filed a supplemental opposition to the Motion, (Dkt. No. 165), and on September 2, 2026, Defendant filed a supplemental brief in support of the Motion, (Dkt. No. 166). On September 3, 2026, the Court held an evidentiary hearing. (Dkt. No. 168 at 7). On September 8, 2026, the Government filed a post-evidentiary hearing supplemental brief in opposition to the Motion, (Dkt. No. 177), and Defendant filed a post-evidentiary hearing brief in support of the Motion, (Dkt. No. 179).

II. Applicable Law

The Fourth Amendment provides that the "right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated." U.S. Const. amend. IV. The United States Supreme Court explained in *Katz v. United States* that "the Fourth Amendment protects people, not places," 389 U.S. 347, 351 (1967), and later Supreme Court decisions have followed the analysis of Justice Harlan's concurrence in that case, which declared that a violation occurs when government officers violate a person's "reasonable expectation of privacy." *See id.* at 360 (Harlan, J., concurring); *see also Bond v. United States*, 529 U.S. 334, 337 (2000); *California v. Ciraolo*, 476 U.S. 207, 210 (1986); *Smith v. Maryland*, 442 U.S. 735, 740 (1979).

"Fourth Amendment rights are personal rights which, like some other constitutional rights, may not be vicariously asserted." *Rakas v. Illinois*, 439 U.S. 128, 133 (1979) (quoting *Alderman v. United States*, 394 U.S. 165, 174 (1969)). Therefore, the exclusionary rule, which allows suppression of evidence obtained in violation of a party's constitutional rights, may only be asserted by a person whose rights have been violated. "A person who is aggrieved by an

illegal search and seizure only through the introduction of damaging evidence secured by a search of a third person's premises or property has not had any of his Fourth Amendment rights infringed." *Rakas*, 439 U.S. at 134. "[T]he burden of establishing, under the totality of the circumstances, the search or seizure violated [a] legitimate expectation of privacy in a particular place" lies with the defendant. *United States v. Davis*, 932 F.2d 752, 756 (9th Cir. 1991) (citing *Rawlings v. Kentucky*, 448 U.S. 98, 104-05 (1980)).

Under the exclusionary rule, a criminal defendant may move to suppress evidence obtained in violation of the Fourth Amendment. *United States v. Camou*, 773 F.3d 932, 943 (9th Cir. 2014) (citing *Mapp v. Ohio*, 367 U.S. 643, 655 (1961); *Weeks v. United States*, 232 U.S. 383, 393 (1960)); Fed. R. Crim. P. 41(h). The exclusionary rule covers not just evidence obtained as a direct result of the illegal search or seizure, but also evidence derived from that illegality—the “fruit of the poisonous tree.” *United States v. Ngumezi*, 980 F.3d 1285, 1290 (9th Cir. 2020) (quoting *Utah v. Strieff*, 579 U.S. 232, 237 (2016)).

When deciding a motion to suppress, courts first determine whether a Fourth Amendment violation occurred, and then, whether suppression is appropriate. *Davis v. United States*, 564 U.S. 229, 236–39 (2011); *see also Herring v. United States*, 555 U.S. 135, 140 (2009) (The fact that a Fourth Amendment violation occurred . . . does not necessarily mean the exclusionary rule applies.”).

III. Discussion

A. ALPR Database Searches

Defendant challenges the constitutionality of all of the ALPR surveillance used during the course of the investigations at issue in this case. In particular, Defendant moves to suppress all evidence directly and indirectly derived from CCPD’s warrantless search of its Flock database, and LASD’s warrantless search of the Carson Motorola ALPR database. (*See generally* Dkt. Nos. 141, 162). Defendant argues that these warrantless searches violated his reasonable expectation of privacy in his historical location data, because the databases are extensive, retroactive, and “allow for deductions about individual’s daily movements over an extended period of time that ‘go to the privacies of life, the epitome of information expected to be beyond the warrantless reach of the government.’” (Dkt. No. 166 at 8 (quoting *Leaders of a Beautiful Struggle v. Balt. Police Dep’t*, 2 F.4th 330, 342 (4th Cir. 2021))).

- i. The ALPR database queries are not searches within the meaning of the Fourth Amendment

The doctrine governing whether a Fourth Amendment search has occurred incorporates both “common-law trespass” principles, which require asking whether the government acquired “information by physically intruding on a constitutionally protected area,” *United States v. Jones*, 565 U.S. 400, 406 (2012), and principles relating to “certain expectations of privacy . . . that society is prepared to recognize as reasonable,” *Carpenter v. United States*, 585 U.S. 296, 304 (2018) (internal quotation marks omitted). Even under the latter set of principles, pertaining to “which expectations of privacy are entitled to protection,” courts must weigh certain “historical

understandings.” *Id.* at 304–05. For example, the Fourth Amendment “seeks to secure the privacies of life against arbitrary powers,” and a “central aim of the Framers was to place obstacles in the way of a too permeating police surveillance.” *Id.* at 305 (internal quotation marks and citations omitted).

In *Carpenter*, these principles led the Supreme Court to reject warrantless acquisition of historical cell-site location information (“CSLI”) from a defendant’s cell-service provider. CSLI is the time-stamped record that a cell phone generates each time it connects to a cell tower or other radio antennas that provide service. *Carpenter*, 585 U.S. at 300. The data at issue in *Carpenter* placed the defendant “within a wedge-shaped sector ranging from one-eighth to four square miles.” *Id.* at 312. Investigators obtained 127 days of historical CSLI from one provider and 2 days from another, totaling 12,898 points of location data for an average of 101 data points per day. *Id.* at 302. Based on this data, investigators placed the defendant at or near various robberies for which they arrested and charged him. *Id.* at 301–03.

More recently, in *Chatrue v. United States*, 146 S. Ct. 2193 (2026), the Supreme Court, relying on *Carpenter*, held that law enforcement’s acquisition of a defendant’s Google Location History data is considered a search for purposes of the Fourth Amendment. 146 S. Ct. at 2199. The Court reasoned that Google Location History, “which records the location of a user’s cell phone every two minutes or so,” “provides an even more fine-tuned picture of a person’s movements than CSLI.” *Id.* at 2199, 2208. The Court reasoned that such technology provides law enforcement a “sweeping, granular, and comprehensive tool” for collecting and storing location data such that “[a]n individual has a reasonable expectation of privacy in records about his cell phone’s location, and police intrude on that constitutionally protected interest when they demand the information . . . from a third-party tech company.” *Id.* at 2199–2200.

In *Leaders of a Beautiful Struggle v. Balt. Police Dep’t*, 2 F.4th 330 (4th Cir. 2021), the Fourth Circuit, sitting en banc, held that accessing data without a warrant from Baltimore’s surveillance system—which integrated “new aerial technology,” meaning “planes equipped with high-tech cameras,” with the city’s dispatch system, ‘CitiWatch’ security cameras, “‘Shot Spotter’ gunshot detection, and license plate readers” —violated the Fourth Amendment. 2 F.4th at 333–34. The Fourth Circuit ruled that the surveillance system, the Aerial Investigation Research (“AIR”) program,” was unconstitutional because it tracked “‘every movement’ of every person outside in Baltimore,” “retained [the data] for 45 days,” and permitted “[l]aw enforcement [to] ‘travel back in time’ to observe a target’s movements, forwards and backwards.” *Id.* at 341 (quoting *Carpenter*, 585 U.S. at 307–13). The surveillance system was thus “more like ‘attach[ing] an ankle monitor’ to every person in the city.” *Id.* The effect of these technologies in combination was “obtaining an estimated twelve hours of coverage of around 90% of the city each day,” which “can be magnified to a point where people and cars are individually visible.” *Id.* at 334. The Fourth Circuit ultimately enjoined the surveillance system’s use. *Id.* at 348.

Here, there is no evidence indicating that the Flock and Motorola databases provided law enforcement with an extensive, detailed log of a person’s movements. As stated above, the Culver City investigation included four photographs of the white Dodge Charger. (Dkt. No. 165-2 ¶ 9). And Detective Preston queried the Flock database for the Defendant’s car *after* Victim

L.F. provided her own license plate number and explained that a second suspect driving a white sedan trailed immediately behind her car, (*id.* ¶¶ 3–4), and *after* she queried the Flock database for (1) L.F.’s car, and (2) the subsequent one to two minutes after L.F.’s car passed the Flock cameras to identify whether a white sedan was trailing her, (*id.* ¶ 6). Through these initial investigative steps and her initial query of Victim L.F.’s car, Detective Preston was able to determine the license plate number of the suspect’s car, (*id.* ¶ 6), which she subsequently used to run a second Flock database query that yielded one photograph, (*id.* ¶¶ 6–8).

The Carson investigation included four photographs of the gold Chevrolet Malibu. (Dkt. No. 165-4 ¶ 5). Detective Maciel queried the LAPD Motorola ALPR database for Defendant’s car *after* Victim M.R. provided his own license plate number, reported that a second suspect driving a Chevrolet Malibu trailed his car into the McDonald’s parking, and *after* he queried the LASD ALPR database for M.R.’s car and discovered four photographs of that car. (*Id.* ¶¶ 3–5). Following these initial investigative steps, Detective Maciel identified four photographs of the gold Chevrolet Malibu passing through the same intersections as M.R.’s car, which allowed him to identify its license plate number. (*Id.* ¶¶ 5–6).

The ALPR database searches used during the Culver City and Carson investigations are thus clearly distinguishable from and less extensive than the “near perfect surveillance” achievable through the historical CSLI at issue in *Carpenter* and the Google Location History data at issue in *Chatrie*. The ALPR data in this case could not create “an all-encompassing record” of Defendant’s whereabouts. *Carpenter*, 585 U.S. at 311. And although some of Defendant’s path in the Dodge Charge and Chevrolet Malibu may be inferred, there is no indication in the record that law enforcement could recreate the complete paths that Defendant traveled in those cars, even in combination with information from other sources, such that officers could create a “detailed log of [Defendant’s] movements” from the data at issue here. *Id.* at 312. Nor did this surveillance provide the “intimate window” into Defendant’s personal life that concerned the Supreme Court in *Carpenter*. *Id.* at 311. That is to say, the ALPR data did not reveal defendants “familial, political, professional, religious, and sexual associations.” *Id.* Furthermore, the record does not show that the ALPR data here allows police to “reconstruct ‘retrospective[ly],’ and with no real effort, [Defendant’s] comings and goings in any area.” *Chatrie*, 146 S. Ct. at 2208 (alteration in original) (quoting *Carpenter*, 585 U.S. at 312).

For these reasons, the record here does not reveal a privacy threat analogous to the issues addressed in *Carpenter* and *Chatrie*. And it does not present “dragnet type law enforcement practices” constituting a Fourth Amendment search. *United States v. Knotts*, 460 U.S. 276, 284 (1983). The Court therefore finds that Detective Preston’s CCPD’s Flock database query and Detective Maciel’s Carson’s Motorola database query do not constitute searches for purposes of the Fourth Amendment. *See, e.g., United States v. Sturdivant*, 786 F. Supp. 3d 1098, 1111 (N.D. Ohio 2025) (denying motion to suppress because defendant has no reasonable expectation of privacy “in the appearance of his vehicle or in his license plate number,” so querying an ALPR database containing that information did not constitute a search for purposes of the Fourth Amendment).

IV. Conclusion

For the foregoing reasons, the Court hereby ORDERS as follows:

1. Defendant's Motion to Suppress (Dkt. No. 141) is DENIED.

IT IS SO ORDERED.