

Published on *The National Law Review* <https://natlawreview.com>

---

## SCOTUS Requires Warrant for Cell Phone Location Records

Article By:

Dena M. Castricone

---

Today, in a 5-4 decision, the US Supreme Court [ruled](#) that the government's acquisition of information regarding an individual's location based on a cell phone record amounts to a Fourth Amendment search and generally requires a warrant. In *Carpenter v. United States*, the government obtained nearly 13,000 location points on Carpenter's movements over a 127-day period from Carpenter's wireless carrier under the Stored Communications Act (SCA). The standard for obtaining information under the SCA is much lower than the probable cause showing required for a warrant. The government used these cell phone records to show that Carpenter's phone was near four locations that had been robbed when those robberies occurred and obtained a conviction. In reversing the decision of the Sixth Circuit and remanding the case, the Court held that individuals have a reasonable expectation of privacy in their physical movements.

Chief Justice Roberts delivered the 119-page opinion for the majority, joined by Justices Ginsburg, Breyer, Sotomayor and Kagan. Justices Kennedy, Alito, Thomas and Gorsuch each filed dissenting opinions.

© Copyright 2025 Murtha Cullina

---

National Law Review, Volume VIII, Number 173

Source URL: <https://natlawreview.com/article/scotus-requires-warrant-cell-phone-location-records>