

CASE BRIEF PEOPLE V. DAVIDSON

People v. Davidson is the trial of Casey Davidson, a resident of the town of Acorn, California. Davidson faces a felony count of first degree murder for the death of Alex Thompson, another young resident of Acorn and member of Ultra Nats, an extremist nationalist group.

The prosecution alleges that Davidson murdered Thompson using Davidson's walking stick in the same park where a political rally had just taken place during the morning of September 14, 2017. Attendees gathered in the park to either protest or support a national radio political commentator who is critical of liberal immigration policies. The prosecution alleges that Davidson had a history of personal hostility and rivalry with Thompson and had joined a radical anarchistic group called the Rads. After Thompson was punched at the September 14 rally and walked away, Davidson allegedly followed Thompson, claiming "Here's my chance." A short time later, Thompson's body was found in a cluster of trees, dead from a subdural hematoma. The prosecution alleges that Davidson willfully and deliberately struck Thompson with a walking stick with the intent to murder Thompson, and that Davidson had done so with premeditation, even posting threatening messages on the online social network BLAB.

The defense argues that Davidson did not murder Thompson and has an alibi for what happened at the time of death. According to the defense, Davidson was an activist in the nonviolent Equality for All (EFA) group, had no ties to the Rads, and had a history of mediating behavior during conflict. Moreover, Davidson was not in possession of the walking stick at the time of death and only walked away from the rally to get batteries for a bullhorn that Davidson used to encourage fellow EFA members. The defense also argues that forensic blood evidence found on Davidson's clothing was the result of Davidson's close proximity to Thompson when Thompson was punched at the rally. Davidson uttered, "Here's my chance" simply in reference to the batteries for the bullhorn. The messages on BLAB, the defense argues, were in one case the result of someone other than Davidson, and in another case the result of Davidson responding to an incident in which Thompson physically injured Davidson.

The pretrial issue in *People v. Davidson* focuses on whether it is a search under the Fourth Amendment for the government to obtain routinely collected GPS location data from a third-party GPS provider. Law enforcement used such GPS information to gather evidence that Davidson had traveled (1) to Thompson's residence several times in the days before Thompson's death, and (2) to the meeting place of the Rads.