

# STATE OF LOUISIANA

## COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA

NO. 2026 KW 0788

VERSUS

DAVID CATHERINE

SEPTEMBER 14, 2026

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In Re: State of Louisiana, applying for supervisory writs, 19th Judicial District Court, Parish of East Baton Rouge, No. DC-25-02476, Section VIII.

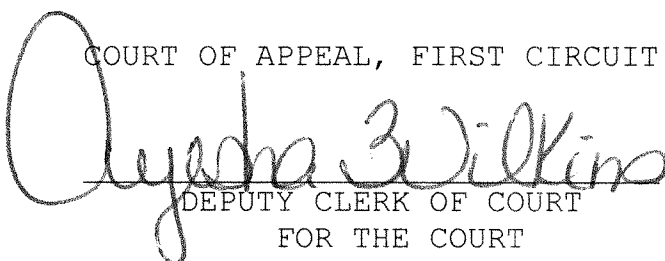
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BEFORE: THERIOT, GREENE, AND EDWARDS, JJ.

**WRIT GRANTED.** A well-settled principle that to be reasonable, an expectation of privacy must have "a source outside of the Fourth Amendment, either by reference to concepts of real or personal property law or to understandings that are recognized and permitted by society." **Minnesota v. Carter**, 525 U.S. 83, 88, 119 S.Ct. 469, 472, 142 L.Ed.2d 373 (1998). There is nothing in the record that supports the respondent's contention that he had a legitimate privacy interest in the video recording on the SD card. Additionally, there was no evidence presented at the suppression hearing of the contract between the respondent and the videographer or the steps that the respondent took, if any, to protect his privacy interest. Furthermore, a person has no legitimate expectation of privacy in information he voluntarily turns over to third parties because any reasonable expectation of privacy is destroyed when the risk of disclosure is assumed. See **Smith v. Maryland**, 442 U.S. 735, 743-44, 99 S.Ct. 2577, 2580, 2582, 61 L.Ed.2d 220 (1979). See also **United States v. Gaulden**, 73 F.4th 390, 395 (5th Cir. 2023). Accordingly, the district court erred by granting the motion to suppress, the motion is denied, and this matter is remanded for further proceedings.

MRT  
HG  
BDE

COURT OF APPEAL, FIRST CIRCUIT



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