

Matheu D. Nunn Mentioned In Law360 Article, "NJ Justices Say Cops Can Force Cellphone Access"

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By **Jeannie O'Sullivan**

A split New Jersey Supreme Court ruled Monday that law enforcement may compel the cellphone passcodes of a former sheriff's officer accused of tipping off a suspect in a drug trafficking investigation, reasoning that such information isn't shielded by constitutional protections against self-incrimination.

The Fifth Amendment applies only to testimonial communications that would be incriminating, and a series of characters don't amount to substantive information, Justice Lee M. Solomon wrote in a majority opinion joined by Chief Justice Stuart J. Rabner and Justices Anne M. Patterson and Faustino Fernandez-Vina. The justices acknowledged that the closely watched case presented a matter of first impression.

Amicus curiae the [New Jersey State Bar Association](#) is represented by Christopher J. Keating, Evelyn Padin, Richard F. Klineburger, Brandon D. Minde and [Matheu D. Nunn](#).

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