

**WEEKS v. UNITED STATES**  
*232 U.S. 383 (1914)*

**Topic:** 4<sup>th</sup> Amendment

**Facts:** Weeks was arrested by a police officer, without a warrant, at the Union Station in Kansas City, Missouri, where he was employed by an express company. Other police officers had gone to the house of the defendant and being told by a neighbor where the key was kept, found it and entered the house. They searched the defendant's room and took possession of various papers and articles found there, which were afterwards turned over to the United States Marshal. Later in the same day police officers returned with the Marshal, who thought he might find additional evidence, and, being admitted by someone in the house, probably a boarder, the Marshal searched the defendant's room and carried away certain letters and envelopes found in the drawer of a chiffonier. Neither the marshal nor the police officers had a search warrant.

**Issue:** Whether it is the right of the court in a criminal prosecution to retain for the purposes of evidence the letters and correspondence of the accused, seized in his house in his absence and without his authority, by a United States Marshal holding no warrant for his arrest and none for the search of his premises?

**Case History:** Defendant was charged with the use of the mail to transport coupons or tickets representing chances or shares in a lottery. The District Court of the United States for the Western District of Missouri denied defendant's pretrial petition to suppress the evidence seized in a warrant-less search of his room and to return the seized property. The district court retained jurisdiction of the property. Defendant appealed the denial of his petition. The U.S. Supreme Court grants certiorari. The U.S. Supreme Court reversed the judgment of the district court and remanded the case

**Arguments:** Weeks argued that (1) under the Fourth Amendment Federal courts and officers are under such limitations and restraints in the exercise of their power and authority as to forever secure the people, their persons, houses, papers and effects against all unreasonable searches and seizures under the guise of law. (2) The Federal courts cannot, as against a seasonable application for their return, in a criminal prosecution, retain for the purposes of evidence against the accused his letters and correspondence seized in his house during his absence and without his authority by a United States marshal holding no warrant for his arrest or for the search of his premises.

**Holding:** In review of defendant's contention that the warrant-less seizure of his private correspondence violated his Fourth Amendment rights, the Court held: 1) that the letters in question were taken from defendant's house by an official of the United States acting under color of his office in direct violation of the constitutional rights of defendant; 2) that having made a seasonable application for their return, which was heard and passed upon by the court, there was involved in the order refusing the application a denial of the constitutional rights of defendant; and 3) that the district court should have restored the letters to defendant. In holding the private correspondence and permitting their use at trial, prejudicial error was committed. The police did not act under any claim of federal authority such as would make the Fourth Amendment applicable to such unauthorized seizure as they acted before the finding of an indictment in the federal court. The Court did not inquire as to what remedies were available to defendant, as the Fourth Amendment was not directed to individual misconduct of such officials. Its limitations reached only the federal government and its agencies.

**Reasoning of the Court:** If letters and private documents can thus be seized and held and used in evidence against a citizen accused of an offense, the protection of the Fourth Amendment declaring his right to be secure against such searches and seizures is of no value, and, so far as those thus placed are concerned, might as well be stricken from the Constitution. The efforts of the courts and their officials to bring the guilty to punishment, praiseworthy as they are, are not to be aided by the sacrifice of those great principles established by years of endeavor and suffering which have resulted in their embodiment in the fundamental law of the land. The United States Marshal could only have invaded the house of the accused when armed with a warrant issued as required by the Constitution, upon sworn information and describing with reasonable particularity the thing for which the search was to be made. Instead, he acted without sanction of law, doubtless prompted by the desire to bring further proof to the aid of the Government, and under color of his office undertook to make a seizure of private papers in direct violation of the constitutional prohibition against such action. Under such circumstances, without sworn information and particular description, not even an order of court would have justified such procedure, much less was it within the authority of the United States Marshal to thus invade the house and privacy of the accused.