

IN THE
**SUPREME COURT
OF THE UNITED STATES**

RONNARD WILLIAMS,
Petitioner

v.

UNITED STATES OF AMERICA,
Respondent

**On Petition for a Writ of Certiorari to the
District of Columbia Circuit Court of Appeals**

PETITION FOR A WRIT OF CERTIORARI

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June 4, 2026

QUESTION PRESENTED

This Court has held that officers may, without individualized reasonable suspicion, order occupants to exit a lawfully stopped vehicle because the resulting intrusion on personal liberty is de minimis. This case poses the question of whether that rationale may be extended to support a per se rule authorizing officers to compel exposure of the vehicle's interior to police view whenever "something like" window tint—a nearly ubiquitous feature of automobiles sold in the United States—limits visibility into the vehicle, thereby converting a doctrine governing *liberty* interests into one authorizing suspicionless infringements of Fourth Amendment *privacy* interests.

PARTIES TO THE PROCEEDINGS

Petitioner Ronnard Williams was Defendant-Appellant in the United States Court of Appeals for the District of Columbia Circuit and Defendant in the United States District Court for the District of Columbia.

Respondent the United States of America was Plaintiff-Appellee in the United States Court of Appeals for the District of Columbia Circuit and Plaintiff in the United States District Court for the District of Columbia.

RELATED PARTIES AND PROCEEDINGS

No other case is directly related to the case in this Court within the meaning of Rule 14.1(b)(iii).

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PETITION FOR A WRIT OF CERTIORARI

Petitioner Ronnard Williams respectfully petitions the Court for a writ of certiorari to review the opinion and judgment entered by the United States Court of Appeals for the District of Columbia Circuit on August 26, 2025.

OPINIONS BELOW

The decision of the United States Court of Appeals for the District of Columbia Circuit is reported at 153 F.4th 55 and is reproduced at Pet.App.2a. The decision of the United States District Court for the District of Columbia denying Mr. Williams's motion to suppress evidence has not been electronically reported but is reproduced at Pet.App.18a.

JURISDICTION

The United States Court of Appeals for the District of Columbia Circuit entered judgment on August 26, 2025. Pet.App.2a. On March 23, 2026, the Chief Justice extended the time to file a petition to and including June 4, 2026. This Court has jurisdiction under 28 U.S.C. § 1254(1).

CONSTITUTIONAL PROVISIONS

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

U.S. CONST. AMEND. IV.

INTRODUCTION

This case presents a question of exceptional importance: whether the Fourth Amendment permits a bright-line rule authorizing officers, absent reasonable suspicion, to compel the exposure of vehicle interiors during traffic stops, notwithstanding this Court’s recognition that those interiors remain protected by a legitimate expectation of privacy. It does not. In a split decision, however, the D.C. Circuit announced precisely such a rule, enabling officers to require a driver to lower all windows whenever “something like the window’s tint makes it hard to see inside the car,” and treating that command as a de minimis safety measure rather than a search requiring particularized justification. *United States v. Williams*, 153 F.4th 55, 56 (D.C. Cir. 2025). This haphazard analysis cannot stand for at least two reasons. First, the D.C. Circuit’s decision cannot be squared with this Court’s longstanding Fourth Amendment precedents requiring individualized suspicion to authorize searches of a car’s interior. Second, the decision acknowledges that other courts apply a more “demanding or fact-specific” standard yet rejects those approaches in favor of its novel bright-line rule, thereby cementing a conflict across jurisdictions. *Id.* at 59 n. 9. Either of these grounds merits this Court’s review; in combination, they require it.

The record below shows why the D.C. Circuit’s decision poses extraordinary risks to the Fourth Amendment’s safeguards against suspicionless searches. In this case, two officers stopped Mr. Williams at approximately 11:05 p.m. for suspected window-tint and minor parking violations; he was “totally compliant,” made no suspicious movements, and could be seen—alongside a passenger—through the open driver’s window and windshield. *See* Pet.App.29a–30a; ECF 93 at 19–20, 101–04. Yet Mr.

Williams was still ordered to roll down all his windows all the way, even though two additional officers had arrived, Mr. Williams had remained fully cooperative, and the officers had a number of other precautionary measures at their disposal. *See* Pet.App.11a, 29a; ECF 93 at 104, 106, 109–110; ECF 77 at 1, Ex. 1 at 3:03:32Z–3:03:42Z. The D.C. Circuit’s rule, if left undisturbed, would sanction this and any other suspicionless search merely because tinted windows, or any other obscuring force, are present. That reasoning, in turn, would transform even legal tint, a commonplace feature on modern vehicles, into an automatic trigger for compelled visual inspection of a vehicle’s interior. This Court should grant review to reaffirm that the Fourth Amendment protects against such intrusions and thus vindicate the constitutional rights of millions of motorists.

STATEMENT OF THE CASE

I. Factual Background

On May 10, 2020, at approximately 11:05 p.m., at least four officers from the Metropolitan Police Department (MPD) Narcotics and Special Investigations Division (NSID) Gun Recovery Unit (GRU), in two unmarked squad cars, stopped Mr. Williams's vehicle for a suspected window-tint violation, a municipal equipment infraction. ECF 93 at 16–19, 42; *see also* D.C. Code § 50–2207.02; 18 DCMR § 734.8. Nothing observed by the officers indicated any wrongdoing by Mr. Williams other than “the tint issue.” ECF 93 at 104.¹ Still, Mr. Williams was subjected to the GRU officers' “proactive” patrol, whereby pretextual—*e.g.*, window-tint or traffic—stops are made to search persons and vehicles for firearms. ECF 93 at 43–44; *see also* D.C. City Council Police Reform Comm'n, *Decentering Police to Improve Public Safety: A Report of the DC Police Reform Commission*, at 21 (Apr. 1, 2021), <https://dccouncil.gov/wp-content/uploads/2021/04/Police-Reform-Commission-Full-Report.pdf>.² Mr. Williams was entirely compliant during his interaction with the police. He made no effort to resist, flee from, or evade officers. The bodyworn camera footage and arresting officers'

¹ After the officers approached Mr. Williams's vehicle, they also noticed that he appeared to be parked within five feet of a driveway, a parking violation. ECF 93 at 99; 18 DCMR § 2405.2(a).

² The GRU and other MPD units with similar tactics and missions have been the subject of considerable controversy. *See, e.g.*, Alex Koma & Mitch Ryals, *Nineteen D.C. Police Officers Are Under Criminal Investigation for Questionable Gun Seizures, According to Court Records*, Wash. City Paper (July 14, 2023), <https://washingtoncitypaper.com/article/614552/nineteen-d-c-policeofficers-are-under-criminal-investigation-for-questionable-gun-seizuresaccording-to-court-records/>; Peter Hermann, *D.C. Gun Seizures Are Soaring – But Charges Aren't Sticking*, Wash. Post (June 1, 2022), <https://www.washingtonpost.com/dc-md-va/2022/06/01/gun-seizures-dc/>. In 2021, MPD announced that GRU officers had received “new training” and that the unit was made part of the Violent Crime Suppression Division. Metro. Police Dep't, *2021 Community Policing Working Group Report*, at 12 (2021), https://mpdc.dc.gov/sites/default/files/dc/sites/mpdc/publication/attachments/Community%20Policing%20Working%20Group%20Report%20%282021-2022%29_FINAL.pdf; *see also* Peter Hermann, *District's New Police Chief is Rethinking Unit Focused on Gun Seizures*, Wash. Post (Mar. 11, 2021), https://www.washingtonpost.com/local/public-safety/guns-washington-police-seizure/2021/03/11/53ad2312-8192-11eb-ac37-4383f7709abe_story.html.

testimony confirm that Mr. Williams was cooperative and peaceful. Pet.App.29a; ECF 77 at 1, Ex. 2 at 3:02:57Z–3:03:49Z; ECF 93 at 103; ECF 226 at 31, 41–43.

Sergeant Kniseley, the officer supervising Mr. Williams’s traffic stop, presented testimony further detailing the events that led up to and transpired during the encounter.³ Specifically, Sergeant Knisely testified that he had been riding on the rear passenger side of an unmarked police car when he saw Mr. Williams’s car idling with the lights on. ECF 93 at 16. Sergeant Kniseley’s car subsequently parked parallel to Mr. Williams’s car, about a “car width or two” away. *Id.* When Sergeant Kniseley exited his car, he walked to the back of Mr. Williams’s car, around to the passenger’s side. *Id.* Another officer, Officer Laury, also approached the car from the driver’s side at the same time and initiated a traffic stop by tapping on Mr. Williams’s window. *Id.* at 100.

In response to Officer Laury’s knock, Mr. Williams lowered his window to speak with her. Officer Laury stated that the stop was for a tint violation. ECF 77 at 1, Ex. 2 at 3:02:57Z–3:03:49Z. While Officer Laury was speaking with Mr. Williams through his rolled-down front window, two other GRU officers emerged from another unmarked police car that had parked diagonally and in front of Mr. Williams’s car. ECF 93 at 102–05, 108–10. When Officer Laury asked for Mr. Williams’s license and registration, Mr. Williams began to retrieve the items. ECF 93 at 102–03. At no point was Mr. Williams observed doing anything suspicious. Not one officer observed Mr. Williams making any gestures or doing anything to suggest he was hiding something. Sergeant Kniseley also testified that, when he looked through the windshield, he could see a

³ Notably, within months of Mr. Williams’s arrest, Sergeant Kniseley was suspended and reprimanded by the Chief of Police for Fourth Amendment violations committed in connection with other GRU activities. ECF 82-1 at 2 (noting Officer Kniseley was suspended for 25 days following events that took place on November 14, 2020).

passenger sitting in the backseat. Pet.App.29a; ECF 93 at 19–20; ECF 77 at 1, Ex. 1 at 3:03:23Z–3:03:31Z.

According to officer testimony, Mr. Williams was being “totally compliant.” Pet.App.29a; ECF 93 at 103. Nevertheless, as one of the officers from the car parked diagonally and in front of Mr. Williams’s car approached Mr. Williams, the officer started shouting and commanded Mr. Williams to lower all his windows, including his backseat windows, all the way down. Pet.App.29a; ECF 93 at 104, 106, 109–10; ECF 77 at 1, Ex. 1 at 3:03:32Z–3:03:42Z. Mr. Williams complied and lowered all of his windows, including his rear windows. Pet.App.30a; ECF 93 at 20. After he lowered his rear windows, officers shined their flashlights from both sides of the car into the passenger compartment of Mr. Williams’s vehicle, where the passenger, Michael Morgan, was sitting in a reclined position on the right side of the backseat. Officer Laury peered into the rear window and made a gesture to Sergeant Kniseley. ECF 77 at 1, Ex. 2 at 3:02:57Z–3:03:49Z; ECF 93 at 103. With the backseat windows lowered and the interior of the car illuminated by multiple beams of light shining from all directions, Sergeant Kniseley was then able to see a firearm on the car’s backseat floorboard next to Mr. Morgan’s right foot. ECF 93 at 103–04, 107–08, 112. Officers removed the firearm from the car, and both Mr. Morgan and Mr. Williams were ordered out of the car and arrested.

After Mr. Morgan and Mr. Williams were arrested, the officers began searching the car, starting with opening a hatch that connected the backseat to the trunk compartment directly underneath where Mr. Morgan had been sitting. In the trunk, officers found a “drawstring bag that contained [a] second firearm.” ECF 93 at 27.

When Mr. Williams himself was searched incident to arrest, officers did not find anything on his person except \$40 in cash in his pocket, ECF 143 at 3, in addition to \$2,000 in COVID-19 assistance stimulus payments found by officers in the glove compartment, ECF 16-1 at 2 (affidavit noting the \$2,000 was from COVID-19 related stimulus checks); ECF 239 at 62–65 (defense counsel stating the same and district court excluding the cash from evidence).

II. Charges and District Court Proceedings

On June 30, 2020, a federal grand jury returned an indictment against Mr. Williams and Mr. Morgan, charging each with unlawful possession of a firearm and ammunition by a person convicted of a crime punishable by imprisonment of a term exceeding one year, in violation of 18 U.S.C. § 922(g)(1). ECF 25 at 1–2. Mr. Morgan was charged in Count I (.40 caliber firearm discovered by Mr. Morgan’s foot), and Mr. Williams was charged in Count II (.45 caliber firearm found in the trunk). *Id.*; *see also* ECF 8 at 4 (detailing where each firearm was found). No other offenses were charged.

On October 16, 2020, Mr. Williams filed a Motion to Suppress Tangible Evidence, which sought to suppress the firearms discovered as the result of an unlawful search in violation of the Fourth Amendment. ECF 44 at 1. On February 10, 2022, the district court held an evidentiary hearing on Mr. Williams’s motion. ECF 93 at 1.⁴

⁴ At the hearing, the district court ordered the government to produce the final record of the Internal Affairs Division’s findings against Sergeant Kniseley arising out of other GRU activities. ECF 93 at 92, 122; *see also supra* note 3. Once it was discovered that Sergeant Kniseley’s complete disciplinary file had not been produced to the defense by the government, and after Sergeant Kniseley testified that some of the misconduct findings “were dismissed by the Chief of Police and unfounded,” ECF 93 at 86, the hearing was continued “so that we know what’s fact and what’s fiction,” ECF 93 at 90. Thereafter, the government produced a letter from the Chief of Police, which concluded that Sergeant Kniseley had personally violated the Fourth Amendment. ECF 82-1 at 4. The letter also found that, among other things, Sergeant Kniseley covered up the misconduct of officers working under his direction, filed a false police report, failed to properly investigate and document an excessive use of force incident, and conducted and supervised unconstitutional and invasive “pat down” and vehicle searches without reasonable suspicion in violation of *Terry v. Ohio*, 392 U.S. 1 (1968). ECF 82-1 at 3–6.

On June 17, 2022, the government filed a superseding indictment charging Mr. Williams with the firearm found at Mr. Morgan's foot. ECF 118 at 1. This superseding indictment came three days after the government moved to dismiss the indictment against Mr. Morgan for the same gun. ECF 111 at 1; *see also* June 22, 2022 Minute Order, Case No. 1:20-cr-00088-EMS-1 (granting the motion to dismiss the indictment against Mr. Morgan).

On September 8, 2022, the district court ruled from the bench and denied Mr. Williams's motion. Pet.App.25a–41a. The court accepted that the reason the officers stopped Mr. Williams was “because the car windows were illegally tinted,” in addition to their subsequent, reasonable belief that the car was partially blocking a driveway into a parking lot. *Id.* at 25a–26a, 29a. The court acknowledged that the officers on scene agreed “Mr. Williams was ‘totally compliant,’” and that the later-arriving officers nevertheless “began repeatedly ordering Mr. Williams to lower his windows because they said his car was dark and they couldn't see in.” *Id.* at 29a. The court noted that “Sergeant Kniseley testified that Mr. Williams had not done anything ‘suspicious beyond the tint issue’ at the time of the order to lower the windows,” that “Sergeant Kniseley further testified that he never saw Mr. Williams look in the direction of the backseat floorboard or pass anything to the backseat,” and that “Mr. Williams complied with the [officers'] orders.” *Id.* at 30a.

Despite these acknowledgments, the court found “that the officer's orders to Mr. Williams to roll down his windows during the traffic stop do not constitute a violation of his Fourth Amendment rights.” *Id.* at 34a. Citing the “balancing test” articulated in *Pennsylvania v. Mimms*, 434 U.S. 106 (1977) (per curiam), the court reasoned that the

“privacy and liberty interests implicated by ordering a driver, lawfully stopped, to roll down the windows of his or her car are comparably ‘de minim[i]s,’” Pet.App.36a–37a (quoting *Mimms*, 434 U.S. at 110–11), while “the government’s interest in officer safety is ‘legitimate and weighty,’” *id.* at 36a (quoting *Mimms*, 434 U.S. at 110–11). In finding that the command to expose the entire interior of his vehicle, including the floorboards, was a “de minim[i]s” privacy intrusion, the court relied on the propositions that “[o]fficers routinely ask drivers to roll down their windows during traffic stops . . . to facilitate communication between the officers and the driver,” and that “there is no legitimate expectation of privacy shielding that portion of an interior of an automobile which may be viewed from outside the vehicle.” *Id.* at 37a (quoting *United States v. Smith*, 2020 WL 5603668, at *2 (E.D. Cal. Sept. 18, 2020), and *Texas v. Brown*, 460 U.S. 730, 740 (1983)). The court determined that the order to roll down Mr. Williams’s back windows based on suspicion of a dark window tint alone, even where Mr. Williams was “totally compliant,” Pet.App.29a; ECF 93 at 103, was not a “search,” but rather, a “minimally burdensome safety precaution” that falls outside the Fourth Amendment’s ambit, Pet.App.38a. On that basis, the district court concluded that the firearm was lawfully seized and the trunk was lawfully searched, denying Mr. Williams’s motion. Pet.App.38a–41a. The court made no conclusions regarding whether the investigating officers had reasonable suspicion to order Mr. Williams to roll his windows down. *Id.* at 25a–41a.

On December 5, 2022, a jury found Mr. Williams guilty of possessing the firearm found by Mr. Morgan’s foot, but not guilty with respect to the firearm found in the trunk. ECF 198 at 1; *see also* ECF 25 at 1; ECF 118 at 1. On March 21, 2023, Mr. Williams

was sentenced to 41 months' imprisonment, three years of supervised release, and a \$100 special assessment. Pet.App.66a. The judgment of conviction was entered on March 27, 2023. *Id.* at 65a. On March 29, 2023, Mr. Williams filed a timely notice of appeal. ECF 221 at 1.

III. Appeal Proceedings

On August 26, 2025, the D.C. Circuit affirmed Mr. Williams's conviction, likening the case to *Mimms*'s holding that "[t]he government's 'legitimate concerns for the officer's safety' outweigh the 'mere inconvenience' to the driver of lowering his windows." *Williams*, 153 F.4th at 56 (quoting *Mimms*, 434 U.S. at 111).⁵ In so doing, a majority of the panel established a "bright-line rule," pursuant to which "the police can order the driver to lower the windows during a lawful traffic stop" any time "something like the tint of a car's windows makes it hard to see inside." *Id.* at 59 & n.9

Judge J. Michelle Childs concurred in the judgment, agreeing with the majority that Mr. Williams's conviction should be affirmed but disagreeing with the majority's reasoning and its adoption of a categorical rule. *Id.* at 60 (Childs, J., concurring). According to Judge Childs, the majority's rule authorizing an officer to order the lowering of all car windows whenever the officer believes his view is obstructed "is inconsistent with *Mimms* and its progeny, invites unnecessary intrusions, and is unmoored from the fact-specific balancing the Fourth Amendment requires." *Id.* Judge Childs further reasoned that the majority's bright-line rule "offers no limiting principle and risks misuse in circumstances that do not justify the intrusion," thereby "collaps[ing] the line between precaution and pretext and erod[ing] the very privacy

⁵ The D.C. Circuit had jurisdiction over this case pursuant to 28 U.S.C. § 1291. The district court had jurisdiction pursuant to 18 U.S.C. § 3231.

interests the Fourth Amendment protects.” *Id.*⁶

REASONS FOR GRANTING THE PETITION

I. The D.C. Circuit’s Bright-Line Rule Cannot Be Reconciled With This Court’s Fourth Amendment Precedents.

In *Mimms*, this Court held that officers may command drivers to exit their vehicles during a lawful traffic stop, even absent reasonable suspicion, in recognition of the “weighty” officer safety concerns implicated by such stops. 434 U.S. at 109–11. The Court reached that conclusion by first framing the inquiry in narrow terms, focusing only on the “incremental intrusion” resulting from the order to exit the vehicle once it was stopped. *Id.* at 109. “Placing the question in this narrowed frame,” the Court weighed the interest in officer safety against the exit order’s “additional intrusion” into the personal liberty of a driver whose person had already been seized. *Id.* at 109, 111. The Court ultimately deemed the order a permissible and minimally intrusive safety precaution, reasoning that it requires a driver “to expose to view very little more of his person than is already exposed” and that such a “mere inconvenience cannot prevail when balanced against legitimate concerns for the officer’s safety.” *Id.* at 111.

Critically, *Mimms* did not address, let alone authorize, intrusions into the distinct privacy interests implicated by the search of a vehicle’s interior. But the D.C. Circuit in *Williams* nevertheless extended *Mimms* to precisely that context. In so doing, the D.C. Circuit contravened this Court’s Fourth Amendment precedents in at least two

⁶ Despite the concurrence’s apt disapproval of the majority’s bright-line rule, it remains flawed in its reasoning affirming Mr. Williams’s conviction. Judge Childs’s concurrence would still extend *Mimms* to allow searches of a car without recognizing that *Mimms* focused entirely on whether an order to exit a vehicle constituted a seizure for Fourth Amendment purposes and did not address searches of car interiors. *See Williams*, 153 F.4th at 59–63 (Childs, J., concurring). In addition, Judge Childs noted that the D.C. Circuit had never “approved such an intrusion based on window tint alone,” but then failed to offer facts specific to Mr. Williams beyond the conditions produced by the tinted windows. *Id.* at 63.

respects, both of which warrant review. First, and contrary to this Court’s jurisprudence, the D.C. Circuit failed to distinguish between the “incremental intrusion” into a driver’s liberty interest caused by the exit order in *Mimms* and the much more significant intrusion into a driver’s privacy interest occasioned by the search in *Williams*. *Mimms*, 434 U.S. at 109. Second, the D.C. Circuit embraced the sort of bright-line rule this Court has repeatedly rejected in the Fourth Amendment context.

A. The D.C. Circuit’s Decision Fails to Credit a Motorist’s Privacy Interest in the Interior of His Vehicle.

This Court has consistently recognized that the Fourth Amendment’s protections apply to vehicle interiors. *See New York v. Class*, 475 U.S. 106, 114–15 (1986) (“[A] car’s interior as a whole is . . . subject to Fourth Amendment protection.”); *Arizona v. Gant*, 556 U.S. 332, 345 (2009) (“[A] motorist’s privacy interest in his vehicle is . . . important and deserving of constitutional protection[.]”); *Byrd v. United States*, 584 U.S. 395, 404 (2018) (“One who owns and possesses a car, like one who owns and possesses a house, almost always has a reasonable expectation of privacy in it.”). The D.C. Circuit’s holding in *Williams*, however, does not credit the privacy interests set forth in these precedents and thus fails to properly account for the full scope of the Fourth Amendment’s protections.

On this point, *Knowles v. Iowa*, 525 U.S. 113 (1998), is instructive. There, the State of Iowa had sought to extend a bright-line rule authorizing searches incident to arrest—as established in *United States v. Robinson*, 414 U.S. 218 (1973)—to the context of searches incident to citation-only traffic stops, arguing in pertinent part that, because officer safety had justified the former, it likewise justified the latter. *See Knowles*, 525 U.S. at 118–19. But the *Knowles* Court rejected this arrogation of authority,

emphasizing that a general interest in officer safety does not categorically permit suspicionless searches of a vehicle's interior. *See id.* at 117–19 (“But while the concern for officer safety in [*Mimms*] may justify the ‘minimal’ additional intrusion of ordering a driver and passengers out of the car, it does not by itself justify the often considerably greater intrusion attending a full field-type search.”). Further, the Court recognized that “officers have other, independent bases to search for weapons and protect themselves from danger,” including ordering the driver and passengers to exit the vehicle, which further undermined the safety justification for Iowa’s proposed rule. *Id.* at 117–18 (citing *Mimms*, 434 U.S. at 111, and *Maryland v. Wilson*, 519 U.S. 408, 414 (1997)). *Knowles* thus confirms that *Mimms*’s exit-order rule is narrow, rooted in de minimis incremental intrusions upon diminished liberty interests, and cannot be extended to authorize privacy-intrusive examinations of a vehicle’s interior without individualized suspicion tethered to officer safety. *Cf. Rodriguez v. United States*, 575 U.S. 348, 356–57 (2015) (reversing extension of *Mimms* because prolonging traffic stop to facilitate dog sniff for drugs did not further the government’s interest in officer safety). *See generally Michigan v. Long*, 463 U.S. 1032, 1049 & n.14 (concluding that “the search of the passenger compartment of an automobile, limited to those areas in which a weapon may be placed or hidden, is permissible if the police officer possesses a reasonable belief based on ‘specific and articulable facts which, taken together with the rational inferences from those facts, reasonably warrant’ the officers in believing that the suspect is dangerous and the suspect may gain immediate control of weapons” but cautioning that this “decision does not mean that the police may conduct automobile searches *whenever* they conduct an investigative stop” (quoting *Terry*, 392 U.S. at 21)).

Here, like in *Knowles*, the concern for officer safety identified in *Mimms* cannot justify the D.C. Circuit’s bright-line rule given the heightened privacy interests at play. As previously explained, *Mimms* involved only the minimal additional intrusion to a motorist’s liberty interest effected by an exit order, one that exposed “very little more of his person than is already exposed” and thus amounted to a “mere inconvenience” when balanced against an officer’s weighty safety interests. 434 U.S. at 111. By contrast, commanding a motorist to lower all windows all the way down so that officers may view areas otherwise shielded from the public eye exposes the “car’s interior as a whole” and squarely intrudes upon privacy interests this Court has repeatedly protected. *Class*, 475 U.S. at 114–15; see *Gant*, 556 U.S. at 345; *Byrd*, 584 U.S. at 404. The D.C. Circuit collapsed these fundamental distinctions between *Mimms* and the instant case, distinctions that differ materially in both degree and kind. In so doing, the court strained *Mimms* beyond its moorings while adopting a rule that empowers officers to conduct suspicionless searches of vehicles. What is more, the D.C. Circuit’s rule is unnecessary because, as recognized in *Knowles*, officers have many “other, independent bases” to ensure safety during traffic stops, including ordering the occupants out of the vehicle. See 525 U.S. at 117–18. In sum, the D.C. Circuit’s “broad rule is inconsistent with *Mimms* and its progeny, invites unnecessary intrusions, and is unmoored from the fact-specific balancing the Fourth Amendment requires,” offering “no limiting principle,” risking misuse, and collapsing “the line between precaution and pretext.” *Williams*, 153 F.4th at 60 (Childs, J., concurring). Certiorari is therefore necessary to rectify the D.C. Circuit’s clear departure from this Court’s precedents and reaffirm the Fourth Amendment’s safeguards against suspicionless searches into a

vehicle's interior.

B. The D.C. Circuit's Decision Creates a Bright-Line Rule, Which Is Disfavored in the Fourth Amendment Context.

In addition, the D.C. Circuit's holding is further cast into doubt by this Court's longstanding rejection of "bright-line rules" in Fourth Amendment cases in favor of "fact-specific" reasonableness inquiries that consider the totality of the circumstances. *Ohio v. Robinette*, 519 U.S. 33, 39 (1996) (collecting cases). Indeed, this Court has rejected litmus tests in such cases precisely because the universe of Fourth Amendment encounters involves "endless variations in . . . facts and circumstances." *Florida v. Royer*, 460 U.S. 491, 506 (1983) (plurality op.). Furthermore, this principle must apply with particular force when evaluating the reasonableness of "safety precautions" taken by officers during traffic stops because the permissibility of such measures "stems from the mission of the stop itself." *Rodriguez*, 575 U.S. at 356. This Court has correspondingly, repeatedly, and recently declined to establish new bright-line rules in that exact context. *See, e.g., Knowles*, 525 U.S. at 118–19; *Gant*, 556 U.S. at 344–47; *Rodriguez*, 575 U.S. at 356–57.

The D.C. Circuit's rule departs from these precedents by creating a per se authorization to command motorists to lower all windows all the way down whenever visibility is impeded by tint or a similar feature, irrespective of time, lighting, compliance, or other circumscribing facts, and without any individualized suspicion that a vehicle occupant is armed or dangerous. *Williams*, 153 F.4th at 56. That approach plainly conflicts with this Court's insistence on particularized suspicion when officers intrude into the passenger compartment during a stop, and it therefore cannot stand. *See Long*, 463 U.S. at 1049–50 (recognizing that a protective search of a vehicle

is permitted only when the officer has a “reasonable belief” based on “specific and articulable facts” that the suspect is dangerous and may gain immediate control of weapons (quoting *Terry*, 392 U.S. at 21)); *see also Gant*, 556 U.S. at 345 (“A rule that gives police the power to conduct such a search whenever an individual is caught committing a traffic offense, when there is no basis for believing evidence of the offense might be found in the vehicle, creates a serious and recurring threat to the privacy of countless individuals.”).

II. The Decision Below Creates a Split—and Exacerbates Existing Confusion—Among Federal and State Courts.

Beyond its incompatibility with this Court’s precedents, the bright-line rule set forth in *Williams*, with its complete agnosticism to facts, is also novel among courts to examine the issue. Indeed, while other federal circuit courts and state courts of last resort have considered whether *Mimms* authorizes visual searches of a car’s interior, none has established an analogous per se rule whereby police officers may, without limitation, “order [a] driver to lower the windows during a lawful traffic stop” any time “something like the tint of a car’s windows makes it hard to see inside.” *Williams*, 153 F.4th at 59.⁷ Instead, these other courts have applied “a standard more demanding or

⁷ The decision from a federal circuit court or state court of last resort to arguably come closest to doing so is the Fourth Circuit’s decision in *United States v. Stanfield*, 109 F.3d 976 (4th Cir. 1997). There, the Fourth Circuit reasoned:

Notwithstanding that the Court “generally eschew[s] bright-line rules in the Fourth Amendment context,” we believe that the Court’s decisions in *Mimms* and *Wilson* in particular would support a holding that whenever, during a lawful traffic stop, officers are required to approach a vehicle with windows so heavily tinted that they are unable to view the interior of the stopped vehicle, they may, when it appears in their experienced judgment prudent to do so, open at least one of the vehicle’s doors and, without crossing the plane of the vehicle, visually inspect its interior in order to ascertain whether the driver is armed, whether he has access to weapons, or whether there are other occupants of the vehicle who might pose a danger to the officers.

Id. at 981 (citing *Robinette*, 519 U.S. at 39). But the Fourth Circuit ultimately decided the matter pursuant to a fact-specific reasonableness analysis. *See id.* at 978 (“We conclude that, perhaps generally, but at least under the circumstances of this case, the substantial government interest in officer safety

fact-specific,” *id.* at 59 n.9, as required by this Court’s precedents, *see supra* Section I.B. This audacious split of authority effected by the *Williams* rule alone warrants review.

In addition, and further underscoring the need for this Court’s review, the reasoning behind the *Williams* rule exacerbates existing confusion among federal and state courts. Indeed, even absent adoption of a comparable per se rule, other courts have similarly overextended *Mimms* to authorize visual searches of a car’s interior without due consideration to how the privacy interests implicated by such searches must change the analysis. *See supra* Section I.A. The Minnesota Supreme Court, for example, has reasoned (in error) that “there is little practical difference between ordering a driver to open his door and get out of his car, on the one hand, and opening the door for the driver and telling him to get out, on the other,” concluding that the intrusion that occurred when an officer opened the defendants’ car door was “minimal” and that it could not “prevail when balanced against the important public interests involved.” *State v. Ferrise*, 269 N.W.2d 888, 890, 891 (Minn. 1978) (citing *Mimms*). Other courts have decided similar cases in like manner. *See, e.g., State v. Smith*, 2018 WI 2, ¶ 35 (holding that an officer’s “act of opening the passenger door did not violate the Fourth Amendment because . . . th[e] intrusion on [the defendant’s] personal liberty was an incremental, de minimus one”); *State v. Anderson*, 2006 ND 44, ¶¶ 34–37 (concluding without elaboration that an officer’s act of opening a vehicle door effected only a “minor intrusion on the individual’s privacy interest” that was outweighed by the

which exists when law enforcement officers must approach vehicles with heavily tinted windows far outweighs any minimal privacy interest the suspect retains in the otherwise visible interior compartment of his vehicle.” (emphasis added)). And even if *Stanfield* could be read as endorsing a bright-line rule, the decision’s holding was plainly limited to the purpose of “ascertain[ing] whether the driver is armed, whether he has access to weapons, or whether there are other occupants of the vehicle who might pose a danger to the officers.” *Id.* at 981. No such limitation is present in *Williams*.

public interest in officer safety); *Warr v. State*, 580 N.E.2d 265, 267 (Ind. Ct. App. 1991) (adopting *Ferrise* and finding an officer’s “opening of the van door and . . . request for [the defendant] to place his hand within view to be minimal intrusions of [the defendant’s] Fourth Amendment rights”).⁸

By contrast, other courts assessing whether *Mimms* authorizes visual searches of a car’s interior have properly acknowledged and considered the distinct privacy interests retained therein. The Fifth Circuit’s analysis in *United States v. Hunt*, 253 F.3d 227 (5th Cir. 2001), is illustrative. There, the Fifth Circuit first recognized that “the Fourth Amendment is enjoyed not only in the home, but on the sidewalk and in a person’s automobile,” and that “intrusion into the interior of an automobile for investigative purposes constitutes a search.” *Id.* at 230–31. From these precepts, the court concluded that an officer had committed an “unnecessary intrusion” when he opened the door of a lawfully stopped vehicle and visually searched the car’s interior. *Id.* at 231. In so doing, the court distinguished *Mimms* and *Wilson*, reasoning that, under the Fourth Amendment, “the officer had the right only to remove from the vehicle . . . the driver . . . and . . . the passenger”; the officer could not “search the automobile’s interior without objective evidence of criminal activity or of potential danger to the officer.” *Id.*; see also *United States v. Meredith*, 480 F.3d 366, 369 (5th Cir. 2007) (likewise distinguishing the conduct in *Mimms* and *Wilson* from “[o]pening a vehicle’s door or piercing the interior airspace”). The court further rejected “the government’s assertion that [an officer’s] practice of searching vehicles based only on a

⁸ Notably, decisions like *Ferrise*, *Smith*, *Anderson*, and *Warr* applied fact-specific analyses rather than a bright-line rule. See *Ferrise*, 269 N.W.2d at 891; *Smith*, 2018 WI 2, ¶ 35; *Anderson*, 2006 ND 44, ¶ 37; *Warr*, 580 N.E.2d at 267.

generalized fear for officer safety is acceptable under the Fourth Amendment.” *Hunt*, 253 F.3d at 232–33. Accordingly, where the officer in *Hunt* failed to present facts justifying his visual search of the defendant’s vehicle’s interior, the Fifth Circuit concluded that his conduct violated the Fourth Amendment. *See id.* at 234.

Notably, numerous other courts have also recognized that this analysis at minimum requires consideration of privacy interests not addressed by *Mimms*. *See, e.g., Stanfield*, 109 F.3d at 981–88 (considering both the “liberty and privacy interests” implicated by the visual search that occurs when an officer opens a car’s door); *United States v. Holley*, 709 F. App’x 602, 605–06 (11th Cir. 2017) (applying *Class* to the opening of a door and assessing the privacy interest involved as minimal because “opening the door in order to access the window was narrowly focused on the purpose of testing the darkness of the tint” of the windows); *State v. Schlosser*, 774 P.2d 1132, 1136 (Utah 1989) (“Opening the door revealed to the officer portions of the passenger compartment that he could not otherwise see and which were not, therefore, in plain view.”); *McHam v. State*, 404 S.C. 465, 477–82 (2013) (holding that “the opening of the door of an occupied vehicle is an intrusion, however slight, that generally constitutes a search for purposes of the Fourth Amendment . . . based on the fact that it enables the officer to observe portions of the interior of the vehicle that would not otherwise be readily visible to those who are outside the vehicle”) (collecting cases), *abrogated on other grounds by Smalls v. State*, 422 S.C. 174 (2018); *State v. Woodson*, 236 N.J. Super. 537, 540 (App. Div. 1989) (distinguishing *Mimms* due to the “significant difference between ordering one out of a car and opening a car door without warning”); *United States v. Jones*, 2021 WL 2156195, at *4 (E.D. Mich. May 27, 2021) (rejecting reliance

on *Mimms*, which “did not address the constitutionality of an officer’s intrusion into a vehicle” but rather “was narrowly concerned with weighing the driver’s personal liberty interest against the government’s interest in officer safety”); *see also United States v. Caro*, 248 F.3d 1240 (10th Cir. 2001), *reh’g denied*, 260 F.3d 1209, 1210 (10th Cir. 2001) (concluding that “*Mimms* cannot have ‘provide[d] the legal justification for the officer’s action” where the officer “opened [a] car door himself in order to effect [an] inspection” rather than inspecting the car’s interior as a result of the driver’s exit from the vehicle (citation omitted)). Importantly, these courts have adhered to this approach even as they reach differing conclusions about the propriety of the searches at issue. *Contrast Hunt*, 253 F.3d at 230–34, *with Stanfield*, 109 F.3d at 981–89. And courts encountering related factual circumstances have done the same. *See, e.g., United States v. Ngumezi*, 980 F.3d 1285, 1289 (9th Cir. 2020) (distinguishing *Mimms* because, “even if opening a door and leaning into the car is a lesser intrusion on the driver’s liberty, it is a greater intrusion on the driver’s privacy interest in the car’s interior”).

As this survey of cases demonstrates, there is a deep and intractable conflict among federal and state courts on the issue of whether suspicionless vehicle searches can be justified by resort to *Mimms* and its reasoning alone. *See also United States v. Dowdell*, 70 F.4th 134, 144 & n.5 (3d Cir. 2023) (recognizing that the “courts are divided on the question” of whether *Mimms* and *Wilson* should be extended to authorize “an officer [to] open a car door during a traffic stop based on less than reasonable suspicion”) (collecting cases). Given the importance of the constitutional issue involved, and the frequency with which officers order motorists to expose their vehicles’ interiors—whether by lowering their tinted windows or opening a door—uniformity across

jurisdictions is essential. *See Fuller v. Oregon*, 417 U.S. 40, 42 (1974) (noting importance of resolving conflicts over constitutional questions). This Court should grant certiorari to resolve this deep-seated conflict.

III. The Question Presented Is Exceptionally Important.

Finally, this case presents a question of exceptional importance. *Williams* establishes a rule that effectively authorizes de minimis searches and threatens substantial privacy interests in everyday encounters between police officers and motorists. This Court should grant certiorari to prevent *Williams* from opening the door to suspicionless searches in a context affecting millions of Americans.

A. The D.C. Circuit’s Decision Effectively Authorizes De Minimis Searches.

The D.C. Circuit treated *Mimms*—a case that permitted a limited, categorical order requiring a driver to exit a vehicle for officer safety—as license to justify suspicionless searches into the vehicle itself, reasoning that any interests retained by the driver and implicated by such searches were “minimal.” *Williams*, 153 F.4th at 59. This Court has made clear, however, that the Fourth Amendment does not recognize de minimis searches and that even seemingly minor intrusions into constitutionally protected spaces require independent justification. *See, e.g., Arizona v. Hicks*, 480 U.S. 321, 325 (1987) (“[T]he ‘distinction between looking at a suspicious object in plain view and moving it even a few inches’ is much more than trivial for purposes of the Fourth Amendment. . . . A search is a search, even if it happens to disclose nothing but the bottom of a turntable.”); *Oborn v. Gates*, 875 F.2d 319, 1989 WL 52733, at *5 (9th Cir. 1989) (unpublished table decision) (“The Court [in *Hicks*] made clear that it did not recognize any such thing as a de minimis search[.]”). By blurring the line between

permissible safety measures and investigatory conduct, *Williams* effectively sanctions de minimis searches in contravention of this Court’s precedents. Certiorari is thus necessary to prevent that rule from eroding the Fourth Amendment’s vital protections.

B. The D.C. Circuit’s Decision Threatens the Fourth Amendment Amid the Widespread Use of Window Tint.

The question presented also involves a near-ubiquitous feature of American life whose Fourth Amendment implications have not yet been evaluated by this Court: tinted vehicle windows. Under the D.C. Circuit’s rule, the presence of tinted windows—often lawful and factory-installed—could serve as a gateway for widespread, suspicionless investigatory probing into vehicle interiors that would otherwise be shielded from view by “either inquisitive passersby or diligent police officers.” *Brown*, 460 U.S. at 740. As discussed below, however, window tinting is not an aberrant or suspicious vehicle modification; it is one of the most common and widely regulated features of automobiles today. In practical terms then, *Williams* not only authorizes the kind of exploratory, suspicionless examination that the Fourth Amendment was designed to prevent, it does so on a sweeping scale affecting a substantial portion of the driving public. *Cf. State v. Williams*, 401 Md. 676, 692 (2007) (rejecting the “test urged by the State” on the grounds that it “would allow police officers to stop any car with any tinted window, simply because it appears darker than an untinted window, and that cannot be the test for Fourth Amendment purposes, for it would effectively strip away Fourth Amendment protection for any person driving or owning a car with tinted windows”). In short, because tinted windows are so prevalent, the consequences of the decision below are neither isolated nor speculative—they are systemic, far-reaching, and deserving of this Court’s intervention.

1. Federal Regulations Expressly Permit Window Tint.

To begin, the federal government itself has long recognized window tinting as a standard feature of motor vehicles. The National Highway Traffic Safety Administration (“NHTSA”) regulates vehicle glazing through the Federal Motor Vehicle Safety Standard (“FMVSS”) No. 205, codified at 49 C.F.R. § 571.205. FMVSS No. 205 specifies performance requirements for glazing materials and incorporates by reference the American National Standard for Safety Glazing Materials (ANSI/SAE Z26.1-1996). *See* 49 C.F.R. § 571.205. That standard requires that glazing in areas “requisite for driving visibility” maintain a minimum light transmittance, also known as Visible Light Transmission (VLT), of 70%. *United States v. Bryant*, 100 F. App’x 788, 790 (10th Cir. 2004).

Importantly, however, FMVSS No. 205 imposes no light transmittance requirement on rear-side windows or rear windows of light trucks and multipurpose passenger vehicles (“MPVs”). *See id.* at 790–91; Letter from Jacquelin Glassman, Chief Counsel, Nat’l Highway Traffic Safety Admin., to Howard Morgenstern, Interpretation No. Morgenstern 1 (June 14, 2004), <https://www.nhtsa.gov/interpretations/morgenstern1> (“NHTSA decided in a 1998 rulemaking not to regulate light transmittance levels of light truck and MPV rear and rear-side glazing under FMVSS No. 205.”). This regulatory framework thus affirmatively permits manufacturers to install tinted glazing on many vehicle glass surfaces. Furthermore, because FMVSS No. 205 is a regulatory requirement for *manufacturers*, it does not apply after the first sale of the vehicle, meaning that states retain independent authority to regulate aftermarket tinting—and virtually all of them permit it within specified parameters.

See Letter from Frank Seales, Jr., Chief Counsel, Nat’l Highway Traffic Safety Admin., to Jörg S. Mager, Interpretation No. 17440drn (June 22, 1998), <https://www.nhtsa.gov/interpretations/17440drn>; *infra* Section III.B.3 (state-law overview).

2. Automobile Manufacturers Routinely Install Factory-Applied Window Tint.

Factory-applied window tint is also standard practice across the global automobile industry. Modern vehicles are often manufactured with some degree of tint embedded in the glass itself, particularly on rear and rear-side windows. See Guardian Glass, *Automotive Glass*, <https://www.guardianglass.com/us/en/our-glass/automotive-glass> (one of the largest automotive glass manufacturers explaining that automotive glass is tinted “most of the time”). Indeed, as automotive industry sources confirm, “[a]lmost all new vehicles roll off the assembly line with a slight, manufacturer-applied tint embedded within the glass itself, typically measuring between 70% and 80% VLT.” *The Complete Guide to Window Tint Percentages by State Laws*, FlexiPPF (Mar. 11, 2026), <https://www.flexippf.com/window-tint-percentages-by-state/>. Ford, for example, advertises “Privacy Glass – Second Row, Third Row and Liftgate” as a standard feature on the Explorer, a top-selling SUV segment vehicle. Ford Motor Co., 2025 Explorer Order Guide, at 3 (2025), https://www.fromtheroad.ford.com/content/dam/fordmediasite/us/en/library/2025/order-guides/2025_Ford_Explorer_Order_Guide.pdf.

Aftermarket tinting is also a large, mainstream industry that serves millions of drivers. Commercial market analysts estimate that the global automotive tinting film market was valued at approximately \$7.59 billion in 2024, with North America accounting for roughly one-third of revenue, and the United States serving as the

dominant market. Grand View Research, *Automotive Tinting Film Market Size, Share & Trends Analysis Report*, at 1 (2025), <https://www.grandviewresearch.com/industry-analysis/automotive-tinting-film-market>. Notably, passenger cars comprise more than 65% of the associated revenue, underscoring widespread adoption in the personal-vehicle fleet. *Id.* Other independent industry analyses corroborate similar magnitudes and growth paths for automotive window film demand between 2030 and 2034, confirming durable consumer preferences for comfort, UV protection, and privacy.⁹ Significantly, industry-standard VLTs popular with consumers—such as 35%—are lawful on front windows in numerous jurisdictions, and far darker tints are permitted on rear windows in many states. *See infra* Section III.B.3 (state-law overview).

3. All Fifty States Permit Legally Tinted Windows.

Every state in the Union, as well as the District of Columbia, permits window tinting within regulated parameters, confirming the universal legislative judgment that tinted windows are a lawful and expected feature of vehicles on American roads. Although the permissible levels of tint vary by state and by window position, no state categorically prohibits window tinting on all vehicle windows. *See, e.g.*, Fla. Stat. §§

⁹ *See* Future Mkt. Insights, *Automotive Tinting Film Market Size, Growth, and Forecast 2025 to 2035*, at 1 (June 9, 2025), <https://www.futuremarketinsights.com/reports/automotive-tinting-film-market> (projecting market growth from \$4.2 billion in 2025 to \$7.0 billion by 2035 at a 5.2% growth rate); *Automotive Window Film Market Is Projected to Grow at a 8.2% CAGR, Reaching US\$ 11,702.4 Million by 2034*, GlobeNewswire (Oct. 2, 2024), <https://www.globenewswire.com/news-release/2024/10/02/2956841/0/en/automotive-window-film-market-is-projected-to-grow-at-a-8-2-cagr-reaching-us-11-702-4-million-by-2034-fact-mr-report.html> (estimating 2024 market at \$5,305.4 million with North America at 38.8% share); Fortune Bus. Insights, *Window Film Market Size, Share & Industry Analysis*, at 1 (2026), <https://www.fortunebusinessinsights.com/window-film-market-102081> (valuing global window film market at \$2.56 billion in 2025, projecting 6.5% growth through 2034). Industry-standard VLTs popular with consumers—such as 35%—are lawful on front windows in numerous jurisdictions, and far darker tint is permitted on rear windows in most states. *See* Int’l Window Film Ass’n, *State Window Tinting Rules & Laws* (2026), *cited in* TintWiz, *Window Tint Laws by State* (2026), <https://tintwiz.com/window-tint-laws-by-state> (compiling state-by-state VLT requirements and showing that a majority of states permit 35% VLT or darker on front-side windows, with many permitting any darkness on rear windows of multipurpose vehicles).

316.2953, 316.2954(1)(a) (permitting 28% VLT on front-side windows and 15% on rear windows); Tex. Transp. Code Ann. § 547.613 (permitting 25% VLT on front-side windows and any darkness on rear windows); Cal. Veh. Code § 26708(b)(4), (8), (d) (permitting 70% VLT on front-side windows and any darkness on rear and rear-side windows); N.Y. Veh. & Traf. Law § 375(12-a) (permitting 70% VLT on front- and rear-side windows, and any darkness on rear windows).

The regulatory landscape reveals that the majority of states permit substantial tinting, particularly on rear and rear-side windows. Of the fifty states and the District of Columbia, at least 22 jurisdictions permit any darkness of tint (*i.e.*, down to 5% VLT or lower) on rear-side windows and/or rear windows of multipurpose vehicles.¹⁰ Even on front-side windows, where regulations are most restrictive, the majority of states permit tinting well above the level at which an officer’s view into the vehicle would be at least somewhat obstructed. *See* Int’l Window Film Ass’n, *State Window Tinting Rules & Laws*. For example, Florida permits 28% VLT on front-side windows, Fla. Stat. § 316.2953; Texas and Oklahoma permit 25%, Tex. Transp. Code Ann. § 547.613(b)(2); Okla. Stat. tit. 47, § 12-422 (D)(1); and Montana and Washington permit 24%, Mont. Code Ann. § 61-9-405(4); Wash. Rev. Code § 46.37.430.

In the District of Columbia itself—the jurisdiction in which Mr. Williams was stopped—District law permits 70% VLT on front windows, 50% VLT on rear windows

¹⁰ *See* Ariz. Rev. Stat. Ann. § 28-959.01 (any darkness permitted on rear windows); Cal. Veh. Code § 26708(b)(4), (8) (any darkness permitted on rear or rear-side windows); Del. Code Ann. tit. 21, § 4313 (same); Iowa Code § 321.438 (same); Mich. Comp. Laws § 257.709(3) (same); Mo. Rev. Stat. § 307.173 (same); Nev. Rev. Stat. § 484D.440 (same); N.J. Stat. Ann. § 39:3-74 (no tint on front-side windows; any darkness on rear and rear-side windows); N.D. Cent. Code § 39-21-39 (any darkness on rear windows); Ohio Admin. Code § 4501-41-03 (same); Tex. Transp. Code Ann. § 547.613 (same); Utah Code Ann. § 41-6a-1635 (any darkness on rear and rear-side windows); Vt. Stat. Ann. tit. 23, § 1125 (2024) (same). *See generally* Int’l Window Film Ass’n, *State Window Tinting Rules & Laws* (cataloguing jurisdictions).

for passenger cars, and 35% VLT on rear windows for multi-purpose vehicles. D.C. Code § 50–2207.02(a)(1)–(2).¹¹ Notably, the statute’s authorization of a 50% light transmittance for rear windows of standard passenger vehicles means that a substantial portion of legally tinted vehicles in the District will present obstructed visibility to officers during a nighttime traffic stop. See D.C. Code § 50–2207.02(a)(1)(B). The D.C. Circuit’s bright-line rule thus invites officers, now armed with the power to inspect vehicle interiors cloaked under an unreviewable precautionary justification, to conduct pretextual window-tint stops.¹²

4. The Ubiquity of Tinted Windows Demonstrates That Tint Cannot Generate Reasonable Suspicion.

The foregoing data confirm that window tinting is among the most common features of automobiles in the United States. It is factory-installed on the overwhelming majority of SUVs, trucks, and minivans, as allowed by federal law. It is affirmatively permitted in every jurisdiction, and it is installed as an aftermarket modification on millions of additional vehicles each year, supporting a multi-billion-dollar domestic industry. Under these circumstances, the presence of tinted windows

¹¹ Authorities have recognized that the District’s window-tint law is “on the more restrictive side of the spectrum” and that “40 states now allow darker tint than the District for the front-side windows and 46 allow darker tint for the rear-side windows,” representing “a significant trend toward less restrictive tint requirements.” Police Complaints Bd., *MPD Enforcement of the District’s Window Tint Law: Report and Recommendations* 13 (Nov. 21, 2013), <https://policecomplaints.dc.gov/sites/default/files/dc/sites/office%20of%20police%20complaints/publication/attachments/Window%20tint%20policy%20recommendation%20FINAL.pdf>.

¹² Indeed, it is telling that in its review of the District’s window tint laws and enforcement, the District’s Police Complaints Board (PCB) noted “concerns about possible bias” and the racial disparities in both the enforcement and the number of citizen complaints related to window-tint citations. Police Complaints Bd., *MPD Enforcement of the District’s Window Tint Law* at 10–12. The PCB report also highlighted the high number of window tint cases which are dismissed, noting that, “[a]lthough it is legal for police officers to conduct traffic stops based on the reasonable suspicion that a vehicle’s tint is in violation of District law—even if that reason is a pretext to investigate another suspected crime—doing so can undermine the public’s confidence in law enforcement and can even run afoul [of constitutional principles].” *Id.* at 10.

on a vehicle simply does not distinguish that vehicle from the millions of other law-abiding motorists on the road. As the concurrence below observed, “[m]any motorists lawfully use tint to preserve privacy. They do not forfeit that interest merely by passing through high-crime areas or by committing minor parking violations.” *Williams*, 153 F.4th at 63 (Childs, J., concurring).¹³

Against this backdrop, the D.C. Circuit’s rule transforms what is, by any measure, one of the most commonplace features of modern vehicles into an automatic trigger for compelled visual inspection of a vehicle’s interior. Indeed, at night—when Mr. Williams was stopped—even lawful tint can make a driver difficult to see when cabin lights are off or street lighting is poor. So too can rain, condensation, the angle of approach, and the darker tint permitted on rear windows in many jurisdictions. None of these conditions, alone or together, poses a genuine safety risk, nor do these conditions generate a particularized suspicion that the occupants are armed or dangerous. *See id.* at 63 n. 5 (Childs, J., concurring). The D.C. Circuit’s rule, however, “would allow officers to compel a vehicle’s interior exposure without individualized suspicion, weakening the Fourth Amendment’s protection against arbitrary interference.” *Id.* at 63 (Childs, J., concurring). The Constitution does not permit so vast an intrusion upon individual privacy based on a design feature shared by tens of millions of lawfully operated vehicles on American roads. For that and the many other reasons above, this Court should grant the petition and reverse the decision below.

¹³ Significantly, the Second Circuit has recently concluded (in error) that tinted windows do not give rise to a reasonable expectation of privacy at all, such that officers do not effect a search by seeking to see through them. *See United States v. Poller*, 129 F.4th 169, 174–80 (2d Cir. 2025). By granting certiorari, this Court can also remedy the folly of decisions like *Poller* that fail to afford motorists seeking to safeguard their privacy the commonsense Fourth Amendment protection they are due.

CONCLUSION

The petition for a writ of certiorari should be granted. If the Court does not grant plenary review, it should summarily reverse the judgment below.

Respectfully submitted,

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June 4, 2026