U.S. COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 25-2680

UNITED STATES OF AMERICA

v.

TROY EUGENE ANDERSON,
Appellant

Appeal from the U.S. District Court, W.D. Pa.
Chief Judge Cathy Bissoon, No. 1:22-cr-00009-001

Before: KRAUSE, PORTER, and AMBRO, *Circuit Judges*
Submitted: Sep. 24, 2026; Filed: Nov. 10, 2026

NONPRECEDENTIAL OPINION[*]

PORTER, *Circuit Judge*. Troy Anderson pleaded guilty to knowingly receiving visual depictions of a minor engaging in sexually explicit conduct. His guilty plea preserved his right to appeal the District Court's order denying his motion to suppress evidence and to withdraw his guilty plea. Anderson contends that various defects infected the state warrant that led investigators to discover child pornography on his laptop. We will affirm.

I

In February 2020, the Pennsylvania State Police (PSP) began investigating Anderson. Jane Doe,[1] Anderson's ex-paramour, told PSP officers that Anderson sent,

[*] This is not an opinion of the full Court and, under I.O.P. 5.7, is not binding precedent.
[1] We refer to her using the pseudonym "Jane Doe."

without her consent, partially nude photographs of her to her then-current paramour. Doe told investigators she had an intimate relationship with Anderson after she ended a relationship with the paramour, but she later told the investigators that her intimate relationship with Anderson began during her relationship with the paramour. Investigators then interviewed Doe's paramour and corroborated her statements about the messages sent by Anderson to him, including the partially nude photo of Doe. In March 2020, Doe told the investigators that she no longer wished to pursue the case and signed a waiver-of-prosecution form.

Between December 2020 and February 2021, Anderson tried repeatedly to contact Doe via text messages, phone calls, and social media. She blocked Anderson's phone number and him on social media. After she did so, Anderson sent derogatory information about Doe, photos of her with offensive statements, and a sexually explicit photo of Doe to her friends. Anderson told Doe's friends that he saw three trucks spend the night outside her house. Anderson told Doe that he wanted to get her fired from her job and created a fake LinkedIn account imitating Doe. The profile Anderson created contained derogatory information about her.

In February 2021, Trooper Corey Murphy of the PSP sought and obtained a search warrant related to charges against Anderson for stalking and transmitting obscene materials in violation of Pennsylvania law. When PSP officers, including Trooper Murphy, executed the warrant on Anderson's residence, they seized two cellphones and a laptop. A forensic examiner searched the laptop's trash folder. In the second file the forensic examiner opened, he found a photograph depicting sexual abuse of a child. He immediately stopped

searching the laptop's contents and contacted a PSP officer, who told federal investigators about the photograph. Federal investigators then obtained a search warrant allowing them to search Anderson's laptop and cellphones for evidence and instrumentalities related to child pornography offenses.

A federal grand jury returned an indictment charging Anderson with one count of knowingly receiving visual depictions of a minor engaging in sexually explicit conduct and one count of knowingly possessing visual depictions of the same. Anderson moved to suppress the evidence seized under the state search warrant.

The District Court denied Anderson's motion to suppress. Anderson then entered a conditional guilty plea, but he reserved his right to appeal the issues "raised in" his motion to suppress and those "raised in any briefing, hearings, or orders related thereto . . . and ruled upon by the [District] Court." App. 481. Anderson timely appealed.

II

The District Court had jurisdiction under 18 U.S.C. § 3231. We have jurisdiction under 28 U.S.C. § 1291. We review for clear error the District Court's denial of a motion to suppress as to the underlying factual findings, and we review de novo the District Court's application of the law to those facts. *United States v. Perez*, 280 F.3d 318, 336 (3d Cir. 2002). When considering a contested search warrant, "our role is not to make our own assessment as to whether probable cause existed" but "to determine only whether the affidavit provides a sufficient basis for the decision the magistrate judge actually made." *United States v. Jones*, 994 F.2d 1051, 1057 (3d Cir. 1993).

III

On appeal, Anderson argues that the District Court should have suppressed the evidence found on his laptop because the warrant was unconstitutionally general and overbroad and contained material omissions of fact which, if included in the warrant, would have negated probable cause under *Franks v. Delaware*, 438 U.S. 154 (1978). Anderson also argues that the good-faith exception to the exclusionary rule did not apply, and the forensic examiner did not discover in plain view the child pornography on his laptop.

A

The Fourth Amendment requires that a warrant "particularly describ[e] the place to be searched, and the persons or things to be seized." U.S. Const. amend. IV. That requirement does not tolerate "overbroad" or "general" warrants. S*ee United States v. Yusuf*, 461 F.3d 374, 393 n.19 (3d Cir. 2006). An overbroad warrant "describe[s] in both specific and inclusive general terms what is to be seized," but "authorizes the seizure of items as to which there is no probable cause." *Id.* A general warrant, on the other hand, is "invalid because it vests the 'executing officers with unbridled discretion to conduct an exploratory rummaging through [the defendant's] papers in search of criminal evidence.'" *Id.* (quoting *United States v. Ninety-Two Thousand Four Hundred Twenty-Two Dollars & Fifty-Seven Cents (92,422.25)*, 307 F.3d 137, 149 (3d Cir. 2002)).

At the threshold, the parties dispute whether the warrant application properly incorporated Attachment A, Trooper Murphy's affidavit. On the first page of the warrant application, in the section describing the items to be searched and seized, Trooper Murphy wrote, "Electronic devices listed in Attachment A, included [sic] but not limited to, cell

phones, thumb drives, memory cards, external hard drives, computers, laptop computers, gaming systems, and cameras." App. 148. On the second page, in the section of the warrant calling for the facts and circumstances creating probable cause, Trooper Murphy wrote, "Refer to Attachment A, which is herein incorporated by reference." App. 149.

Anderson focuses on the section of the warrant enumerating the premises and people to be searched. But Trooper Murphy had no need to incorporate Attachment A in that section because the application identified Anderson and listed his address. The lack of incorporation in that section does not negate the proper incorporation of the affidavit in the first two pages.

Anderson asserts the state warrant was general because it gave investigators unbridled discretion to search files on his laptop. But the specific crimes under investigation—stalking and transmitting obscene materials in violation of Pennsylvania law—determined the officer's discretion.[2] Although the types of files to be searched can meaningfully circumscribe police discretion in some situations, in this case it was impracticable preemptively to limit the scope of the search because Anderson's conduct implicated a variety of media. *See United States v. Stabile*, 633 F.3d 219, 237 (3d Cir. 2011). The investigators had broad but not unbridled authority to search for relevant

[2] Pennsylvania defines stalking as "engag[ing] in a course of conduct or repeatedly communicat[ing] to another person under circumstances which demonstrate or communicate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person." 18 Pa. Cons. Stat. § 2709.1(a)(2). Pennsylvania prohibits "transmit[ting] . . . any obscene materials to any person 18 years of age or older, or knowingly advertis[ing] any obscene materials in any manner." 18 Pa. Cons. Stat. § 5903(a)(2); *see id.* § 5903(b) (defining obscenity).

evidence on Anderson's laptop files because such evidence could be stored on any electronic device within his possession. The state warrant was not a general warrant.

B

Anderson argues that Trooper Murphy omitted material facts from the warrant affidavit that would have negated probable cause. To succeed, Anderson must prove by a preponderance of the evidence that the omissions would have negated the probable cause finding and that Trooper Murphy acted recklessly by omitting them from the warrant application and affidavit. *Yusuf*, 461 F.3d at 383; *Franks*, 438 U.S. at 171–72. Probable cause is determined under the totality of the circumstances, including the cumulative weight of the information detailed in the application and affidavit and the reasonable inferences supported by the officer's training. *Yusuf*, 461 F.3d at 390. After we add to the warrant any "false statements made with reckless disregard for the truth, we review de novo a district court's substantial-basis review of a . . . judge's probable cause determination." *United States v. Desu*, 23 F.4th 224, 235 (3d Cir. 2022).

Anderson cites the following omissions: (1) Doe initially lied to investigators, Anderson, and her then-current paramour about the nature of the love triangle; (2) Doe withdrew her original complaint against Anderson and signed a waiver of prosecution; (3) Doe never told law enforcement that Anderson used a laptop to harass her; and (4) Anderson lived near Doe's house. Anderson says the first two facts demonstrate that Doe was not credible. He contends that the third fact would eliminate probable cause to seize and search Anderson's laptop. And he contends that the final omission "means [Anderson]

would see [Doe's] house while simply going about his regular day" and that she did not "actually fear for her safety." Appellant's Br. 38.

The omissions would not have negated probable cause if Trooper Murphy included them in the warrant application and affidavit. Investigators independently verified the information Doe provided when they interviewed her then-current paramour and her friends. *See Illinois v. Gates*, 462 U.S. 213, 241 (1983) (recognizing the value of corroboration by independent police work in probable cause determinations). Having confirmed the veracity of that information, Trooper Murphy had no reason to detail Doe's initial lie about the love triangle.

The second omission, as Trooper Murphy credibly testified, is not unusual in domestic-stalking cases. Anderson has not shown that the District Court clearly erred when it credited this testimony. The third omission did not affect the probable-cause finding. The state judge reasonably inferred from Anderson's conduct that he used the laptop to send harassing text and social-media messages or to store obscene materials. *See United States v. Hodge*, 246 F.3d 301, 305–06 (3d Cir. 2001) ("A court is entitled to draw reasonable inferences about where evidence is likely to be kept, based on the nature of the evidence and the type of offense." (internal quotation marks and citation omitted)). The fourth omission arguably supported the probable cause finding. A stalker who regularly passes by his victim's house could certainly cause a victim more fear of serious bodily injury than one who lives far away. *See* 18 Pa. Cons. Stat. § 2709.1(a)(2). The state judge had a "substantial basis" for finding a "fair probability that contraband or evidence of a crime

will be found" on Anderson's laptop. *Gates*, 462 U.S. at 238. Thus, Anderson's *Franks* challenge fails.

C

Even if the warrant were defective, we conclude that the good-faith exception applies because the forensic examiner acted in good-faith reliance on the state warrant. As relevant here, the good-faith exception does not apply if: (1) the judge issued the warrant in reliance on a recklessly false affidavit; (2) the warrant affidavit was "so lacking in probable cause as to render official belief in its existence entirely unreasonable," or (3) "the warrant was so facially deficient that it failed to particularize the place to be searched or the things to be seized." *United States v. Rosario*, 180 F.4th 512, 524 (3d Cir. 2026). As explained above, the warrant did not contain material omissions of fact, so the first situation does not apply.

As for the second situation, the "threshold for establishing" it is "a high one" that Anderson has not met. *Messerschmidt v. Millender*, 565 U.S. 535, 547 (2012). The application was based on the PSP's investigation, including their corroboration of the messages Anderson sent to Doe and her friends. It did not lack factual detail, use stale evidence, or rely on an uncorroborated or unreliable anonymous tip. *See Rosario*, 180 F.4th at 525 & n.27. The forensic examiner's reliance on the warrant was not "entirely unreasonable."

As for the third situation, the warrant here was not "*so* facially deficient as to preclude any reasonable reliance" by the forensic examiner. *Id.* at 525 (internal quotation marks omitted). The warrant described the items in Attachment A, including laptops, and

described their potential nexus to the crimes under investigation. Evidence of stalking and transmitting obscene materials could be found only by opening files on the computer to examine their contents. We need only conclude that the forensic examiner could "reasonably believe the search was legal" when he opened the file containing child pornography. *Id.* at 524. Because he could, we do not reach Anderson's overbreadth argument. *See Ninety-Two Thousand Four Hundred Twenty-Two Dollars & Fifty-Seven Cents (92,422.25)*, 307 F.3d at 149 ("Evidence seized pursuant to an overly broad warrant need not be suppressed if the good faith exception applies.").

Anderson next argues that the Supreme Court created another carve-out to the good-faith exception when the warrant's affiant also takes part in executing the search warrant. Appellant's Br. 40–43 (citing *Groh v. Ramirez*, 540 U.S. 551 (2004)). We rejected this argument in *United States v. Pavulak*, where we described *Groh* as "simply reinforc[ing] the longstanding rule that 'paltry' affidavits preclude good faith." 700 F.3d 651, 665 (3d Cir. 2012). The affidavit here was not paltry, so we reject Anderson's argument.

D

Finally, Anderson contends that the forensic examiner did not discover the child pornography on his laptop in plain view. The plain-view doctrine requires that an investigator (1) lawfully be where he views evidence, (2) the incriminating character of the evidence is immediately apparent, and (3) the investigator lawfully may access the item. *Stabile*, 633 F.3d at 241. The first requirement is met because the state warrant permitted the forensic examiner to search the files on Anderson's computer for evidence of staking and transmitting obscenity. Second, the incriminating character of the evidence was

immediately apparent to the forensic examiner. *See United States v. Williams*, 592 F.3d 511, 522 (4th Cir. 2010) (finding "immediately apparent" possession of incriminating evidence when a forensic examiner encounters child pornography in the course of a cursory review of computer files). And third, the forensic examiner could lawfully examine the file because the state warrant facially allowed him to do so and he acted in good-faith reliance on that warrant.

Resisting this conclusion, Anderson contends that the plain-view doctrine does not apply because our decision in *Stabile* limited investigators to looking only at file names and types when searching computers. Anderson overreads *Stabile*. It involved a warrant authorizing the search of a computer for evidence of financial crimes on hard drives, for which evidence was unlikely to be found on video or image files. 633 F.3d at 231. A detective opened a file containing child pornography after observing suspicious file names. *Id.* at 226–27, 242. We held that the detective saw the file names in plain view but did not decide if the plain-view doctrine applied to the files' contents. *Id.* at 227, 242–46. We did not categorically preclude investigators from opening files to view their contents. Instead, we emphasized the "common-sense, fact-intensive" nature of applying the plain-view doctrine to relevant digital files. *Id.* at 241.

Here, the nature of the investigation required the forensic examiner to view the contents of Anderson's files to determine their relevance to the state investigation. That distinguishes this case from *Stabile*, where the detective was instructed to search only for evidence of financial crimes, and a file's relevance to the investigation could reasonably be determined based on its name and file type. *See* 633 F.3d at 226–27, 241–42. Thus, the

forensic examiner's discovery of child pornography on Anderson's computer did not violate the Fourth Amendment.

* * *

For the forgoing reasons, we will AFFIRM the District Court's order denying Anderson's motion to suppress.