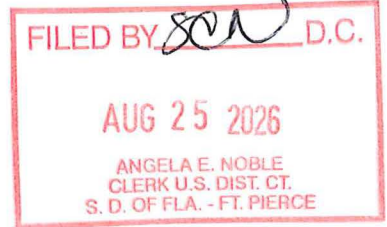


**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**



STEVEN E. GREER
a Port St. Lucie resident

Plaintiff,
v.

CITY OF PORT ST. LUCIE, FLORIDA,
a Florida Municipal Corporation,

SHANNON MARTIN,
in her official capacity as Mayor of the
City of Port St. Lucie and in her individual
capacity,

FLOCK SAFETY, INC., a Delaware
corporation,

Defendants,

Case No.:

Judge: 2:26-cv-14319-BBG

PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTION

Contents

PLAINTIFF’S MOTION FOR PRELIMINARY INJUNCTION 1

INTRODUCTION 1

STATEMENT OF FACTS 2

STANDING AND CONCRETE INJURY 3

LEGAL STANDARD 4

ARGUMENT 4

 Likelihood of Success on the Merits..... 4

 1. Fourth Amendment Claims (Counts 1 and 2)..... 4

 2. Additional Claims 6

 Irreparable Harm 7

 Balance of Equities and Public Interest 9

CONCLUSION..... 10

RELIEF 12

CERTIFICATE OF SERVICE 13

Cases

Carpenter v. United States, 585 U.S. 296, 310 (2018) 4

Elrod v. Burns, 427 U.S. 347, 373 (1976) 8

Leaders of a Beautiful Struggle v. Baltimore Police Dep’t, 2 F.4th 330, 341–46 (4th Cir. 2021)..... 4

Schmidt v. City of Norfolk, No. 2:24-cv-621, 2026 WL _____ (E.D. Va. Jan. 27, 2026) .. 5

Siegel v. LePore, 234 F.3d 1163, 1176 (11th Cir. 2000) 4

United States v. Martin, 753 F. Supp. 3d 454, 476 (E.D. Va. 2024) 5

Winter v. Nat. Res. Def. Council, Inc., 555 U.S. 7, 20 (2008) 4

Rules

Federal Rule of Civil Procedure 65 1, 4

Constitutional Provisions

Fla. Const. art. I. 1

U.S. Const. amend. IV. 1

PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION

1. Plaintiff Steven E. Greer, M.D., proceeding *pro se*, respectfully moves this Court pursuant to Federal Rule of Civil Procedure 65 for a preliminary injunction. In support thereof, Plaintiff states as follows:

INTRODUCTION

2. Plaintiff seeks an immediate preliminary injunction to halt the unconstitutional operation of the Flock Safety automatic license-plate reader (ALPR) surveillance network. Irreparable harm is ongoing.

3. The City of Port St. Lucie has blanketed its roadways with at least 49 Flock cameras that photograph every vehicle (and, in many cases, pedestrians), convert the images into searchable "Vehicle Fingerprints," and upload the data to a centralized, nationally accessible cloud database. This creates a permanent, warrantless record of every resident's movements over weeks or months and exports that data nationwide under a perpetual license granted to Flock.

4. The Complaint details multiple constitutional violations, including warrantless searches under the Fourth Amendment (Counts 1 and 2) (U.S. Const. amend. IV.), violations of the Driver's Privacy Protection Act (Count 3), chilling of Second Amendment rights through targeted surveillance of gun ranges (Count 4), and parallel Florida constitutional claims under Article I, §§ 9, 12, and 23 (Fla. Const. art. I.). The City compounds these violations by granting Flock a perpetual, worldwide license to export and share Port St. Lucie data nationwide, turning the City into a portal for out-of-state and federal agencies.

5. Plaintiff requests that this Court enter a preliminary injunction. There is overwhelming evidence of egregious abuse of Flock technology by police. It is

unprecedented in the history of policing. Almost every day, a new police officer is not just fired, but also arrested.

STATEMENT OF FACTS

6. The facts are set forth in detail in Plaintiff's Verified Complaint at ¶¶ 7–16, 26–51, 52–86, 92–93, 94–99, and 106–115, and are incorporated herein by reference.

Key points include:

7. The City maintains at least 49 Flock cameras operating 24/7 that capture license plates, vehicle characteristics, and, in many placements, pedestrian faces and bodies.

8. Data is uploaded to a centralized cloud database retained for at least 30 days (longer if downloaded) and contractually licensed for perpetual, nationwide sharing.

9. The system has a documented high error rate leading to false arrests and is subject to rampant officer abuse, including stalking, political retaliation, **and lethal domestic violence** (see, e.g., Pinellas County Deputy Savetz case and the Port St. Lucie Lieutenant Aaron Martin scandal involving political tracking of a mayoral candidate and a pedestrian).

10. Cameras are deliberately aimed at gun ranges, parks, and non-vehicular areas, **chilling Second Amendment and privacy rights**.

11. Public records requests have been obstructed with exorbitant fees or outright denial under baseless exemptions.

12. Multiple municipalities nationwide, including within Florida, have already suspended or terminated Flock programs due to privacy, abuse, and legal concerns. This type of national outrage is also unprecedented.

13. Plaintiff, a Port St. Lucie resident and motor-vehicle owner, is personally subjected to this pervasive surveillance every time he drives on public streets. Plaintiff

regularly and routinely travels from his home in Port St. Lucie south to destinations including West Palm Beach. Because Flock's interconnected network blankets South Florida's roadways, it is physically impossible for Plaintiff to conduct his ordinary commute across municipal and county borders without being subjected to continuous, seamless tracking.

STANDING AND CONCRETE INJURY

14. Plaintiff has standing. Based on the density and placement of the City's at least 49 Flock cameras, it is prima facie that any resident who regularly drives the public streets of Port St. Lucie is repeatedly captured by the system. The cameras operate 24 hours a day at high-traffic locations and create searchable Vehicle Fingerprints of every vehicle that passes. Continuous, city-wide coverage makes capture of Plaintiff's vehicle a virtual certainty every time he drives.

15. Plaintiff is not required to produce the City's own tracking logs or individual "hits" to establish standing. The system is designed to capture everyone. Requiring a plaintiff to obtain and attach the very records the government is secretly compiling would invert the burden and reward non-transparency.

16. Moreover, the City has actively obstructed access to the precise data that would confirm individual captures. It has demanded an unlawful \$1,000 "special service charge" and later asserted baseless exemptions under Fla. Stat. § 119.071(2)(d) to withhold camera locations and audit logs. A defendant cannot refuse to produce the records that would prove tracking and then claim the plaintiff lacks standing for failure to produce those same records. The City's violation of the Florida Public Records Act further supports Plaintiff's standing and underscores the need for immediate injunctive relief.

17. Plaintiff's regular driving within Port St. Lucie and his routine travel south to West Palm Beach place him squarely within the zone of the continuous, inter-jurisdictional surveillance dragnet created by the Flock network.

LEGAL STANDARD

18. A preliminary injunction is available under Federal Rule of Civil Procedure 65.

19. This injunction is warranted where the movant demonstrates: (1) a substantial likelihood of success on the merits; (2) irreparable harm absent the injunction; (3) that the balance of equities tips in his favor; and (4) that the injunction is in the public interest. *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008).

20. In the Eleventh Circuit, these factors are weighed on a sliding scale. *Siegel v. LePore*, 234 F.3d 1163, 1176 (11th Cir. 2000) (en banc).

ARGUMENT

Likelihood of Success on the Merits

1. Fourth Amendment Claims (Counts 1 and 2)

21. Plaintiff is substantially likely to prevail on his Fourth Amendment claims. The Supreme Court has held that individuals have a reasonable expectation of privacy in “the whole of their physical movements.” *Carpenter v. United States*, 585 U.S. 296, 310 (2018). When government technology enables the reconstruction of a detailed, retrospective record of those movements, a search occurs and a warrant is required. *Id.* at 310–13.

22. The Fourth Circuit applied this principle to sustained aerial surveillance of an entire city and held that accessing the resulting database without a warrant violates the Fourth Amendment. *Leaders of a Beautiful Struggle v. Baltimore Police Dep't*, 2 F.4th 330, 341–46 (4th Cir. 2021) (en banc). The court emphasized that the technology created a

“detailed, encyclopedic” record that enabled deductions from the whole of individuals’ movements.

23. Defendants will rely heavily on the recent district-court decision in *Schmidt v. City of Norfolk*, No. 2:24-cv-621, 2026 WL _____ (E.D. Va. Jan. 27, 2026). In *Schmidt*, Judge Mark S. Davis granted summary judgment to the City, holding that Norfolk’s approximately 176 Flock cameras arranged in 75 clusters, with a 21-day retention period limited by Virginia statute, did not yet track “the whole” of a person’s movements under *Carpenter* and *Beautiful Struggle*. The court found that plaintiffs averaged only 2–3 full plate matches per day, often miles and 45–50 minutes apart, and that the system contained large geographic gaps. The court expressly cautioned, however, that ALPR systems are “not all equal” and that expanding density, capability, or data-sharing “could conceivably tip the other way.” *Id.* at *3, *47–48 (citing *United States v. Martin*, 753 F. Supp. 3d 454, 476 (E.D. Va. 2024)).

24. Even accepting the *Schmidt* court’s analysis on its own terms, the Port St. Lucie deployment is materially different and crosses the constitutional line that *Schmidt* itself left open.

25. **First**, Norfolk’s system is now constrained by a Virginia statute that generally limits data retention to 21 days and restricts sharing primarily to in-state law enforcement. Port St. Lucie, by contrast, has granted Flock a perpetual, worldwide license to export and disseminate the data across Flock’s national platform. Once the images leave Port St. Lucie, they become part of a searchable national archive accessible to agencies far beyond this Court’s jurisdiction. That irreversible national dissemination is absent from the *Schmidt* record.

26. **Second**, the *Schmidt* plaintiffs presented no evidence of actual officer abuse. Here, the record already contains concrete examples of misuse: a Port St. Lucie police lieutenant (the husband of Defendant Mayor Shannon Martin) used the system for political tracking of a mayoral candidate and a pedestrian, with footage later leaked to the press. Similar documented abuses (stalking, domestic violence, and false arrests) have occurred in other Florida agencies using the same Flock platform. These real-world harms distinguish the present case from the abstract capability analysis in *Schmidt*.

27. **Third**, Port St. Lucie cameras are deliberately aimed at gun ranges, parks, and other non-vehicular locations, capturing not only license plates but pedestrians' faces and bodies. The *Schmidt* court analyzed a pure vehicle-tracking system confined to public roadways. The broader capabilities and targeted placement in Port St. Lucie raise distinct Fourth Amendment and Second Amendment concerns.

28. **Fourth**, Florida's Constitution provides an independent and more protective right of privacy under Article I, § 23. The *Schmidt* court applied only the federal Fourth Amendment baseline. This Court is obligated to apply Florida's broader constitutional standard.

29. Taken together, these differences show that the Port St. Lucie (and broader Southern District) Flock system is not the limited, state-constrained program upheld in *Schmidt*. It is a national surveillance architecture already being used for political retaliation and capable of capturing far more than vehicle movements on public streets. Plaintiff is therefore likely to succeed on the merits of his Fourth Amendment claims.

2. Additional Claims

30. Success is also likely on the DPPA claim (Count 3), the Florida constitutional claims (Counts 6–9), the Second Amendment chilling claim (Count 4), and the public-

records claim (Count 5). The documented officer abuses, pedestrian tracking, and gun-range surveillance further support these counts.

Irreparable Harm

31. The harm is irreparable and ongoing. Every day the Flock system operates, it captures Plaintiff's vehicle (and, in many placements, his image as a pedestrian), converts the images into searchable Vehicle Fingerprints, retains the data for at least 30 days (longer if downloaded), and exports it under the perpetual, worldwide license the City has granted Flock.

32. Once that data leaves Port St. Lucie and enters Flock's **international cloud**, it becomes permanently accessible to **spy agencies across the world** and cannot be clawed back.

33. Plaintiff is a Port St. Lucie resident and motor-vehicle owner who drives the City's public streets daily. He is therefore subjected to this warrantless, continuous tracking of his movements every time he leaves his home. This ongoing injury cannot be contained within Port St. Lucie's city borders. When Plaintiff commutes down to West Palm Beach, his vehicle triggers an interconnected inter-jurisdictional dragnet. Because the City has granted Flock a perpetual, nationwide license to export local data, Port St. Lucie effectively serves as a portal. A data breach, algorithmic error, or local officer abuse follows Plaintiff down the entire length of the I-95 and US-1 corridors. The Complaint details the density of the camera network (≥ 49 cameras), its placement at gun ranges, parks, and non-vehicular areas, and the resulting ability to reconstruct the whole of a resident's physical movements, which is precisely the type of retrospective location record the Supreme Court held requires a warrant in *Carpenter*.

34. The threat of system weaponization and privacy invasion is not a speculative hypothesis. The system has already been actively abused right here in Port St. Lucie. As detailed in the public records and investigative documents attached hereto, a Port St. Lucie police lieutenant (the husband of Defendant Mayor Shannon Martin) utilized local police technology and data tracking resources for the political surveillance of a mayoral candidate and an associated pedestrian, with the resulting footage subsequently leaked to the press. This local weaponization of surveillance assets has triggered active investigations, including a probe by the Florida Department of Law Enforcement (FDLE) into numerous top Port St. Lucie officers.

35. Similar documented abuses (stalking, domestic violence, false arrests, and even murder) have occurred in other Florida agencies using the same platform.

36. These real-world harms are not speculative. They are already occurring.

37. The chilling effect is immediate. Knowing that every drive, every visit to a gun range, and many pedestrian movements are recorded, retained, and shared nationwide deters the exercise of First and Second Amendment rights.

38. Constitutional violations of this character constitute irreparable injury as a matter of law. *Elrod v. Burns*, 427 U.S. 347, 373 (1976).

39. Localized or delayed relief is inadequate. Because Flock's architecture has no boundaries and is global, data collected in Port St. Lucie is already flowing beyond this Court's jurisdiction. Only an immediate halt to collection, retention, and further dissemination can prevent the continued irreversible injury to Plaintiff and other residents of the Southern District.

Balance of Equities and Public Interest

40. The balance of equities tips decisively in Plaintiff's favor. Defendants face no cognizable harm from temporarily ceasing an unconstitutional program. They retain all traditional investigative tools.

41. The only interest the City can assert is a claimed reduction in crime. The City has produced no competent evidence that its 49-camera network has caused any measurable reduction in crime.

42. Even assuming, *arguendo*, some incremental benefit, the Constitution does not permit the government to purchase public safety by systematically violating the Fourth Amendment rights of its residents.

43. Empirical data from Atlanta, which is Flock's headquarters and flagship city, directly undercut the claimed public-safety benefit. The Connect Atlanta surveillance network, which relies heavily on Flock technology, expanded from approximately 3,300 cameras in 2021 to more than 28,000 by 2026. Yet Atlanta Police Department clearance rates stagnated or declined: the overall clearance rate fell from 53.4 percent in 2021 to 48.0 percent in 2025, and motor-vehicle-theft clearance rates collapsed. Flock's own "Impact Census" figure (that an estimated 20 percent of solved cases were "assisted" by its technology) measures only Flock's involvement in already-solved cases, not any increase in the total number of crimes cleared.

44. Multiple municipalities across the country (including Palm Bay, Florida, and others detailed in the Complaint) have already suspended or terminated Flock systems without adverse public-safety consequences.

45. The public interest strongly favors an injunction. The public has a profound interest in preventing the permanent, uncontrolled dissemination of its location data, facial images (including those of children), and patterns of life.

46. An injunction that halts this system pending full adjudication of its constitutionality serves that interest, upholds the rule of law, and prevents the continued inversion of the presumption of innocence.

CONCLUSION

47. This Motion has established the following points:

- A) The City of Port St. Lucie's Flock network continuously captures, stores, and exports the movements of residents without a warrant, in violation of the Fourth Amendment and Article I, § 12 of the Florida Constitution.
- B) The City has granted Flock a perpetual, worldwide license, so local data becomes permanently searchable by agencies across the country with no judicial oversight.
- C) The system tracks not only vehicles but also pedestrians (including in parks and near gun ranges), creating biometric and location records that chill Second Amendment and privacy rights.
- D) Documented officer abuse (including political tracking and leakage of footage by a Port St. Lucie lieutenant, stalking, and lethal domestic violence in other Florida agencies) proves the supposed safeguards are meaningless.
- E) Once data enters Flock's national cloud it cannot be recalled; every additional day of operation causes irreversible harm.
- F) The City has produced no competent evidence that the 49-camera network reduces crime. Empirical data from Atlanta (Flock's flagship city) show stagnant or declining clearance rates despite massive camera expansion.

G) Multiple municipalities, including in Florida, have already suspended or terminated Flock systems without adverse public-safety consequences.

H) Plaintiff, a Port St. Lucie resident who drives the City's streets daily, is subjected to this warrantless surveillance every time he leaves his home.

48. These facts satisfy all four *Winter* factors: substantial likelihood of success on the merits, irreparable harm, balance of equities favoring Plaintiff, and public interest in stopping an unconstitutional mass-surveillance program.

49. Localized relief limited to Port St. Lucie is insufficient because Flock's architecture is regional and national. Only district-wide relief can prevent the same violations from continuing elsewhere in the Southern District of Florida under the same contracts and software.

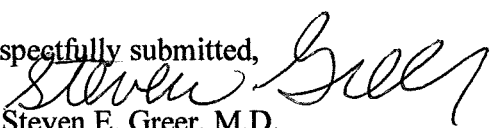
50. For these reasons, Plaintiff respectfully requests that the Court grant this Motion and enter the preliminary injunction set forth in the Relief section below.

RELIEF

51. Plaintiff respectfully requests that this Court enter a preliminary injunction that:

- A. Declare that the City's Flock ALPR program, national data-export custom, and warrantless surveillance dragnet violate the Second Amendment and the Fourth Amendment to the United States Constitution, the Driver's Privacy Protection Act, and Article I, Sections 9, 12, and 23 of the Florida Constitution;
- B. Preliminarily enjoin, pending final adjudication of this matter on the merits, the City from operating the ALPR network or contractually exporting data into the national Flock platform without a judicial warrant supported by probable cause;
- C. Order the City to produce the requested public records immediately and without the unlawful \$1,000 fee;
- D. Award reasonable attorneys' fees and costs under 42 U.S.C. § 1988 and Fla. Stat. § 119.12; and
- E. Grant such other and further relief as the Court deems just and proper.
- F. Refer this matter to the United States Attorney for the Southern District of Florida for consideration of whether the City's Flock ALPR program, data-export practices, and related conduct constitute a pattern or practice of constitutional violations that may warrant investigation or enforcement action under 34 U.S.C. § 12601 or other applicable civil-rights statutes, and invite the United States Attorney for the Southern District of Florida to intervene, appear as amicus curiae, or file a statement of interest.

Respectfully submitted,


/s/ Steven E. Greer, M.D.

Steven E. Greer, M.D.
Pro Se Plaintiff
10367 SW Green Turtle LN
Port St. Lucie, FL 34987
Steve@greerjournal.com
(212) 945-7252

CERTIFICATE OF SERVICE

I certify that on August 25, 2026, a true and correct copy of the foregoing Motion for Preliminary Injunction was filed with the Clerk of Court and will be served on Defendants together with the Summons and Complaint in accordance with the Federal Rules of Civil Procedure.

/s/ Steven E. Greer, M.D.

Steven Greer, pro se