

Mississippi AG's Subpoena to Google Put on Hold by Court

Google, Inc. won a preliminary injunction stopping the Mississippi Attorney General from enforcing a 79-page subpoena or bringing a civil or criminal charge against Google under Mississippi law for making accessible third-party content to Internet users.

In a brief order, the trial court found that Google had a substantial likelihood of prevailing on the merits in its request for a declaratory judgment to stop Jim Hood, the Mississippi Attorney General, from enforcing a subpoena and bringing criminal charges against Google.

In its complaint filed in December, Google asserts that the Mississippi Attorney General “has engaged in a sustained campaign of threats against Google, designed to compel Google to restrict the information created by others that Google makes available through its search engine, YouTube video-sharing site, and related advertising. As part of that campaign, the Attorney General has threatened to proceed against Google civilly or criminally under Mississippi’s Consumer Protection Act (‘MCPA’), and he has issued a retaliatory and burdensome Administrative Subpoena and Subpoena Duces Tecum (‘Subpoena’) to Google, demanding Google produce an enormous volume of documents on a wide range of topics related to the actions Google takes and does not take to restrict the content created by third parties that may be accessed through Google’s services.”

Google alleges the dispute with the Attorney General started in the fall of 2012. The company alleges that Hood “has demanded that Google block or remove from its services various content he disfavors. When Google did not give in to his demands, he first threatened, then issued, a burdensome Subpoena explicitly focused on immunized conduct.”

Google claims Hood’s demands to censor search results by delisting websites that he contends “may contain illegal or dangerous content” would have “a chilling effect on free speech by entirely removing lawful pages that no one has identified as infringing.”

The judge’s order states that the court will publish a detailed ruling by March 12, 2015.

Google, Inc. v Jim Hood, Attorney General of the State of Mississippi, S.D. Miss. No. 14cv981, issued March 2, 2015.

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