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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

Michael Apelt,	)	No. CV-98-00882-PHX-ROS
Petitioner,	)	<u>DEATH PENALTY CASE</u>
vs.	)	<b>ORDER</b>
Charles L. Ryan, et al.,	)	
Respondents.	)	

Pending before the Court is Petitioner’s motion to seal (Doc. 293), requesting that the Court seal from the public record his reasons for requesting an extension of time in which to file his reply on the merits. (Doc. 294.) Petitioner has conferred with opposing counsel who does not oppose his request for an extension of time.

Under FED.R.CIV.P. 26(c), the district court, for good cause shown, may make any order which justice requires to protect a party from annoyance, embarrassment, oppression or undue burden or expense. *See also* Rule 12, 28 U.S.C. foll. § 2254. In this case, Petitioner has established that good cause exists to protect a party from disclosure of otherwise confidential information.


Accordingly,

**IT IS HEREBY ORDERED** granting Petitioner’s motion to seal. (Doc. 293.) The Clerk of Court shall file under seal Petitioner’s lodged motion for an extension of time to file his reply brief. (Doc. 294.)

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**IT IS FURTHER ORDERED** granting Petitioner's request for an extension of time.  
(Doc. 294.) Petitioner shall file his reply brief on the merits no later than **September 19, 2011.**

DATED this 29<sup>th</sup> day of July, 2011.



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Roslyn O. Silver  
Chief United States District Judge