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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

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Armando Roberto Aros, III,

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No. CV-04-306-PHX-SRB (LOA)

10

Plaintiff,

)

ORDER

11

vs.

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Robinson, et al.,

)

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Defendants.

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Defendant Fulton has filed a Motion for Protective Order regarding documents in the Court’s file that reveal his home address and putative Defendant Robinson’s home address. (Doc. 192) Defendant Fulton requests the Court to redact or seal the documents that reveal his home address and that of Defendant Robinson. (See Docs. 151, 159, and 173) (*Id.*) Additionally, Defendant Fulton requests that the Court compel Plaintiff and his Aunt¹ to swear or affirm that they have either destroyed or sent Defendants’ counsel any and all copies of documentation in their possession that contains the home addresses of Defendant Fulton or Defendant Robinson. (*Id.*)

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I. Request to Seal or Redact Documents with the home addresses of Defendant Fulton or Defendant Robinson

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Defendant Fulton cites Fed. R. Civ. P. 5.2(e) in support of his Motion, which states:

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For good cause, the court may by order in a case:

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¹Plaintiff’s Aunt, Jane Talley, has been assisting Plaintiff in serving Defendants.

1 (1) require redaction of additional information; or

2 (2) limit or prohibit a nonparty's remote electronic access to a document filed
3 with the court.

4 (*Id.*) Defendant Fulton contends that, due to their lengthy careers as prison officials,
5 Defendant Robinson and he have had contact with "hundreds, if not thousands, of
6 convicted felons." (*Id.*) Additionally, in view of Plaintiff's validated membership in the
7 Aryan Brotherhood Security Threat Group, Defendants Fulton and Robinson fear misuse
8 of their home addresses by inmates to retaliate against them. (*Id.*)

9 The Court finds that Defendant has established good cause to limit or prohibit
10 a nonparty's remote electronic access to documents filed with the Court that contain the
11 home addresses of either Defendant Fulton or Defendant Robinson. Thus, the Court will
12 order the Clerk of Court to seal those documents that contain Defendant Fulton's and
13 Defendant Robinson's home addresses. (Docs. 151, 159, 173)

14 **II. Request that Plaintiff and his Aunt to Swear or Affirm they have Destroyed
15 Documents with Defendant Fulton's and Defendant Robinson's Home Addresses**

16 Defendant Fulton further requests that the Court compel Plaintiff and his aunt
17 to swear or affirm that they have either destroyed or sent undersigned counsel any and all
18 copies of documentation in their possession that contain the home addresses of Defendant
19 Fulton and Defendant Robinson. (Doc. 192) Although Defendant Fulton is not certain if
20 any such documents were ever in possession of Plaintiff or his aunt, if documents
21 containing the home addresses of either Defendant Fulton or Defendant Robinson are in
22 the possession of Plaintiff or his aunt, there could be a breach of security. (*Id.*)

23 The court in *Richardson v. Johnson*, 598 F.3d 734, 739 (11th Cir. 2010) found
24 that it is a sensible precaution not to allow prisoners access to a prison guard's home
25 address because the "prisoners aggrieved by guards' conduct may resort to extra-legal
26 weapons after release if they do not deem the results of the litigation satisfactory."

27 Defendant Fulton and Defendant Robinson have an interest that their home
28 addresses remain out of the possession of a prisoner or prisoner's family members.

1 Therefore, the Court will grant Defendant Fulton's Motion that Plaintiff and his Aunt
2 swear or affirm that they have destroyed any and all documents in their possession that
3 contain the home addresses of Defendant Fulton or Defendant Robinson.

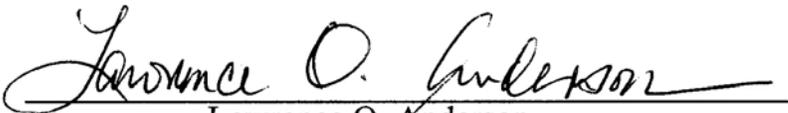
4 Accordingly,

5 **IT IS ORDERED** that Defendant Fulton's Motion for a Protective Order
6 (Doc. 192) is **GRANTED** as follows:

7 1. The Clerk of Court shall seal docket numbers 151, 159, and 173.

8 2. Plaintiff and his aunt each shall file a notice **on or before August 9, 2010**
9 affirming that they have either destroyed or sent Defendant's counsel any and all copies
10 of documents in their possession that contain the home addresses of Defendant Fulton and
11 Defendant Robinson.

12 DATED this 29th day of July, 2010.

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15 Lawrence O. Anderson
16 United States Magistrate Judge