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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Shawn Michael Folta,
10 Plaintiff,

11 v.

12 Jeffrey Van Winkle, et al.,
13 Defendants.

No. CV-14-01562-PHX-DGC (ESW)

ORDER

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16 Pending before the Court are documents for in-camera inspection, Defendants’
17 fully briefed Joint Motion Requesting Entry of Protective Order for Documents to be
18 Produced regarding Defendant Burke (Doc. 172), and Plaintiff’s Motion to Strike
19 Defendants’ Reply to Plaintiff’s Opposition to Motion for Protective Order (Doc. 177).
20 Further briefing is deemed unnecessary.

21 The Court has reviewed all proposed redactions of the documents presented for in-
22 camera inspection and finds them to be appropriate for internal security of inmates and
23 correctional staff within the Arizona Department of Corrections (“ADC”). The Court
24 will order Defendants to release the redacted documents to Plaintiff’s counsel.

25 The Court further finds that the entry of the proposed Protective Order is
26 necessary and appropriate for the security issues inherent in the exchange of documents
27 in this case. *See Pell v. Procunier*, 417 U.S. 817, 823 (1974) (“central to all other
28 correctional goals is the institutional consideration of internal security within the

1 correctional facilities themselves”). The Court will grant the Motion for Protective Order
2 (Doc. 177) and issue the Protective Order as proposed.

3 Plaintiff requests that Defendants’ Reply (Doc. 176) be stricken due to
4 “impeaching assertions reproduced in Defendants’ Reply.” (Doc. 177). The Court has
5 found the redactions proposed in the documents presented for in-camera inspection and
6 the proposed protective order to be appropriate for ADC internal security based upon
7 security challenges presented by any inmate, any informant, and all correctional staff
8 under circumstances presented to the Court in the documents reviewed. Argument
9 regarding Plaintiff’s alleged conduct did not inform the Court’s ruling. Though
10 Defendants cite to further documents available for the Court’s review in-camera
11 supporting Defendants’ assertions, such review is unnecessary. Defendants’ Reply is
12 authorized under LRCiv 7. 2(d). The Motion to Strike (Doc. 177) will be denied.

13 For good cause shown,

14 **IT IS ORDERED** granting Defendants’ Joint Motion Requesting Entry of
15 Protective Order for Documents to be Produced regarding Defendant Burke (Doc. 172).
16 The Protective Order as proposed shall issue. Counsel shall email to Chambers the Word
17 version of the document no later than one business day from the filing of this Order.

18 **IT IS FURTHER ORDERED** approving the redactions proposed on documents
19 Bates stamped ADC 084-294. Defendants shall release the redacted documents to
20 Plaintiff’s counsel in a manner consistent with the Court’s Protective Order.

21 **IT IS FURTHER ORDERED** denying Plaintiff’s Motion to Strike Defendants’
22 Reply to Plaintiff’s Opposition to Motion for Protective Order (Doc. 177).

23 Dated this 12th day of March, 2018.

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27 Honorable Eileen S. Willett
28 United States Magistrate Judge