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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RODNEY JESSE SAN NICOLAS,
Petitioner,

v.

KEVIN CHAPPELL, as Warden of San
Quentin State Prison,
Respondent.

Case No. 1:06-cv-00942-LJO-SAB
DEATH PENALTY CASE

ORDER DIRECTING COURT CLERK TO
RETURN RESPONDENT’S LODGED
DOCUMENT 6
(ECF No. 150)

This matter is before the Court on Respondent’s notice of filing/lodging state court documents in paper, filed on August 17, 2015. Therein, Respondent purports to lodge “Document 6: Petitioner’s Petition for Writ of Habeas Corpus Filed Conditionally Under Seal; California Supreme Court, case number S028747.” (ECF No. 150 at 2:5-6.) However, the document submitted for filing/lodging as document 6 is not the aforementioned, but rather the California Supreme Court’s decision on Petitioner’s direct appeal, People v. San Nicolas, 34 Cal.4th 614 (2004).

Even if Respondent had submitted the aforementioned document, filing/lodging under seal requires written order of this Court, following a specific request to seal, making the showing

1 required by applicable law and submitted in the appropriate manner. Local Rule 141. This is so
2 even if the subject document was sealed in state court. Id. Accordingly, for the reasons stated, it
3 is HEREBY ORDERED that:

- 4 1. The Clerk of the Court is directed to return filed/lodged document 6 to
5 Respondent, and
- 6 2. Respondent shall comply with the requirements of Local Rule 141 for the sealing
7 of confidential state records.

8 IT IS SO ORDERED.

9 Dated: August 19, 2015

10 
11 _____
12 UNITED STATES MAGISTRATE JUDGE