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7 UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT OF CALIFORNIA
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10 RODNEY JESSE SAN NICOLAS,

11 Petitioner,

12 v.

13 RON DAVIS, Warden of San Quentin State
14 Prison,

15 Respondent.
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Case No. 1:06-cv-00942-DAD

DEATH PENALTY CASE

ORDER GRANTING UNOPPOSED
REQUEST TO FILE DOCUMENT UNDER
SEAL

(Doc. Nos. 174, 175 & 176)

17 Before the court is petitioner's January 25, 2018 request to file under seal his reply to the
18 memorandum of points and authorities in opposition to the sealed portion of the petition for writ
19 of habeas corpus (sealed claim 1 of the addendum petition), as amended and supplemented.
20 Petitioner states the document proposed for sealing discusses confidential information reflected
21 in sealed claim 1. Petitioner also represents that counsel for respondent, Deputy Attorney
22 General Angelo Edralin, does not oppose his amended request to seal.

23 The court previously ordered that all pleadings addressing petitioner's sealed claim 1 be
24 filed under seal and served upon opposing counsel. (*See* Doc. No. 156.)

25 Accordingly,

26 1. The Clerk of the Court is directed to file under seal petitioner's reply to the
27 memorandum of points and authorities in opposition to the sealed portion of the
28 petition for writ of habeas corpus, totaling nine (9) pages, with service upon only

1 counsel for respondent,


2 2. Petitioner's reply and the information set forth therein is confidential and shall
3 not be disclosed, in whole or part, to any person other than the court and court
4 staff and individually named counsel for the parties for their use solely in
5 connection with litigation of the habeas corpus proceeding pending before this
6 court,

7 3. No publicly filed document shall include the above document and/or the
8 information set forth therein unless authorized by the court to be filed under seal,
9 and

10 4. All provisions of this order shall continue to be binding after the conclusion of
11 this habeas corpus proceeding and specifically shall apply in the event of a retrial
12 of all or any portion of petitioner's criminal case, except that either party
13 maintains the right to request modification or vacation of this order upon entry of
14 final judgment.

15 IT IS SO ORDERED.

16 Dated: January 28, 2018

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19 UNITED STATES DISTRICT JUDGE
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