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IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

IREN ANDERSON,

CASE No. 1:09-cv-01924-LJO-MJS (PC)

Plaintiff,

ORDER DENYING PLAINTIFF'S MOTION
FOR CONFIDENTIAL PRODUCTION OF
TRIAL WITNESSES AND SEALING
REQUEST

v.

RON D. HANSEN, et al.,

Defendants.

_____ /

Plaintiff Iren Anderson is a state prisoner proceeding pro se and in forma pauperis in this civil rights action filed November 2, 2009 pursuant to 42 U.S.C. § 1983. (Compl., ECF No. 1.) This matter proceeds on the Second Amended Complaint (Second Am. Compl., ECF No. 19) claims of excessive force against Defendant Hansen, failure to protect against Defendant Hartley, and failure to intervene against Defendant Lewis. (Order Finding Cognizable Claims, ECF No. 20.) Defendants Hansen, Hartley, and Lewis have answered. (Answers, ECF Nos. 25, 43.) Discovery in this matter closed November 1, 2012. (Order Am. Discovery and Scheduling Order, ECF No. 52, at § III(D).) The dispositive motion deadline is January 10, 2013. (Id.)

Pending before the Court is an unfiled and unserved two-page motion by Plaintiff seeking confidential production of trial witnesses and a sealing request. It was received by the Court Clerk on January 2, 2013.

1 Plaintiff's instant motion and sealing request, which includes the information he
2 maintains is confidential and subject to seal, is premature. The Court will set a further
3 schedule for this litigation and provide for pre-trial and trial submittals and motions in
4 due course. Fed. R. Civ. P. 16(b).

5 Additionally, Plaintiff's request for sealing of documents is deficient in failing to
6 set forth "the statutory or other authority for sealing, the requested duration, the identity,
7 by name or category, of persons to be permitted access to the documents, . . . all other
8 relevant information [and the] basis for excluding any party from service. Local Rule
9 141.

10 Accordingly, it is HEREBY ORDERED that:

- 11 1. Plaintiff's two-page motion for confidential production of trial witnesses
12 and sealing request received by the Court Clerk on January 2, 2013, is
13 DENIED without prejudice; and
- 14 2. The Court Clerk is directed not to file or serve the instant two-page motion
15 and sealing request received on January 2, 2013, but to return such to
16 Plaintiff forthwith.

17
18 IT IS SO ORDERED.

19 Dated: January 9, 2013

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE