

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

PIERRE RIZZO, Plaintiff, v. M. DIAZ, et al., Defendants. CASE NO. 1:10-cv-180-LJO-MJS (PC) ORDER DENYING MOTION TO SEAL FILED DOCUMENTS (ECF No. 4)

Plaintiff Pierre Rizzo (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Before the Court is Plaintiff’s Motion to Seal Filed Documents [ECF No. 4] asking the Court seal all documents filed in the above-captioned action. Plaintiff alleges that the mexican mafia has a “hit out” on him that threatens the safety of his family and, therefore, the Court should seal all filings in this case.

Absent compelling justification, filings in cases such as this are a matter of public record. United States v. Stoterau, 524 F.3d 988, 1012 (9th Cir. 2008). The complaint in this action involves allegations that the Defendant prison guards were contaminating Plaintiff's food. The Court does not see anything in the allegations that might involve Plaintiff's family or expose Plaintiff's family to harm. Nothing filed thus far in the case involves personal information or information that is sensitive in nature. Defendants have not yet filed anything.

Accordingly, Plaintiff's Motion to Seal Filed Documents [ECF No. 4] is DENIED. If,

1 as this litigation progresses, Plaintiff believes that a particular document reveals sensitive
2 information that warrants it being filed under seal, he is free to so move as to that particular
3 document.

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5 IT IS SO ORDERED.

6 Dated: July 16, 2010

/s/ Michael J. Seng
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UNITED STATES MAGISTRATE JUDGE