1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 EASTERN DISTRICT OF CALIFORNIA 9 10 11 JOSE ONTIVEROS SEPULVEDA, Case No.: 1:13-cv-00723-JLT 12 Petitioner, ORDER GRANTING RESPONDENT'S MOTION TO SEAL DOCUMENTS (Doc. 18) 13 v. ORDER DIRECTING CLERK OF COURT TO 14 SWARTHOUT, Warden, FILE DOCUMENTS UNDER SEAL 15 Respondent. 16 Petitioner is a state prisoner proceeding in propria persona with a petition for writ of habeas 17 corpus pursuant to 28 U.S.C. § 2254. 18 **DISCUSSION** 19 The instant petition was filed on May 16, 2013. (Doc. 1). On June 11, 2013, the Court ordered 20 Respondent to file a response. (Doc. 8). On August 9, 2013, Respondent filed the Answer. (Doc. 21 14). On August 16, 2013, Respondent lodged documents with the Court related to the Answer. (Doc. 22 17). Contemporaneous with the lodging of documents, Respondent filed the instant motion to seal the 23 following six documents lodged with the Answer: (1) psychological evaluation filed September 9, 24 2008; (2) Medication Recommendation, filed October 20, 2008; (3) Competency report filed March 6, 25 2009; (4) certification of mental competence, filed June 17, 2009; (5) psychological evaluation filed 26 October 9, 2009; and (6) probation officer's report filed June 2, 2010. (Doc. 18). Respondent's 27

motion alleges that the above-cited six documents were originally filed in Petitioner's criminal trial

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under seal and that, under state law, the documents are confidential. Respondent requests that the six documents remain sealed until the conclusion of this case or until the Court finds that the documents should be unsealed under Local Rule 141(f). Accordingly, GOOD CAUSE having been shown, the Court HEREBY ORDERS as follows: 1. Respondent's motion to lodge documents under seal (Doc. 18), is GRANTED; and, 2. The Clerk of the Court is DIRECTED to lodge the above-mentioned documents under seal pending further order of this Court. IT IS SO ORDERED. /s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE Dated: **August 22, 2013**