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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

DAVID ESTRADA,)	Case No.: 1:13cv00919 DLB (PC)
)	
Plaintiff,)	ORDER DENYING PLAINTIFF’S
)	REQUEST TO SEAL MOTION FOR
v.)	SUBPOENA DUCES TECUM
)	
GIPSON, et al.,)	(Document 171)
)	
Defendants.)	
)	
)	

Plaintiff David Estrada (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action. Plaintiff filed his First Amended Complaint on August 7, 2013. Pursuant to the Court’s screening order and Plaintiff’s notice of willingness to proceed on the cognizable claims, this action is proceeding against (1) Defendants Gipson and Espinosa for retaliation in violation of the First Amendment; and (2) Defendants Gipson, Espinosa, Lambert and Cavazos for violation of the Eighth Amendment. The First Amended Complaint is sealed.

Discovery closed on December 15, 2014.

On February 13, 2015, Plaintiff filed a request to seal a motion for the issuance of a subpoena duces tecum to Sgt. John Amaya.

Filings in cases such as this are a matter of public record absent compelling justification. United States v. Stoterau, 524 F.3d 988, 1012 (9th Cir. 2008). Here, Plaintiff contends that the motion

1 contains “individual names and identities of confidential informants and also confidential information”
2 which would jeopardize the safety of the institution and inmates. He states that the motion and
3 exhibits also contain procedures of CDCR gang investigators and their “techniques.” ECF No. 171, at
4 1.

5 The Court has reviewed the motion and its exhibits. However, the motion and exhibits deal
6 with missing inmate appeals and do not disclose any sensitive information. No inmates are named and
7 there is no disclosure of rules or regulations. While Exhibit 4 is a Chrono relating to Plaintiff’s gang
8 debriefing, there is nothing in the document that warrants sealing.

9 Accordingly, Plaintiff’s motion is DENIED. Pursuant to Local Rule 141(e)(1), the Clerk of
10 Court shall return the motion at issue.

11
12 IT IS SO ORDERED.

13 Dated: February 22, 2015

/s/ Dennis L. Beck
14 UNITED STATES MAGISTRATE JUDGE