

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

MELVIN JOEL CRAWFORD, ) Case No.: 1:15-cv-00544 LJO JLT  
Petitioner, )  
v. ) ORDER GRANTING RESPONDENT'S REQUEST  
M.E. SPEARMAN, ) TO SEAL THE PROBATION REPORT  
Respondent. ) (Doc. 17)  
 )  
 )

Before Court is the request, lodged by Respondent to file under seal the probation report prepared in Petitioner's underlying criminal matter. (Doc. 17) For the reasons set forth below, the request is **GRANTED**.

## I. Legal Authority

Generally, documents filed on the docket are presumed to be available to the public. EEOC v. Erection Co., 900 F.2d 168, 170 (9th Cir. 1990); see also Kamakana v. City and County of Honolulu, 447 F.3d 1172, 1178 (9th Cir. 2006); Foltz v. State Farm Mut. Auto Ins. Co., 331 F.3d 1122, 1134 (9th Cir. 2003). Documents may be sealed only when the compelling reasons for doing so outweigh the public's right of access. EEOC at 170. In evaluating the request, the Court considers the "public interest in understanding the judicial process and whether disclosure of the material could result in improper use of the material for scandalous or libelous purposes or infringement upon trade secrets."

Here, Respondent seeks to file under seal the probation report prepared in Petitioner's underlying criminal matter. (Doc. 17) This report is made confidential under California law (Cal. Pen Code § 1203.05) and contains personal identifiers which should not be subject to public view. See Premium Serv. Corp. v. Sperry & Hutchinson Co., 511 F.2d 225, 229 (9th Cir. 1975) ("[A] public policy against unnecessary public disclosure arises from the need, if the tax laws are to function properly, to encourage taxpayers to file complete and accurate returns."); Gabel v. C.I.R., 134 F.3d 377 (9th Cir. 1998) (Social security numbers are part of tax return information and are confidential.) Thus, the Court finds a compelling need for this document to remain confidential.

## ORDER

Based upon the foregoing, the Court **ORDERS**:

1. Defendants' request to file under seal Lodged Document #17 (Doc. 17) is **GRANTED**.

IT IS SO ORDERED.

Dated: June 17, 2015

**/s/ Jennifer L. Thurston**  
UNITED STATES MAGISTRATE JUDGE