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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

AGNES XIE,

Plaintiff,

v.

DE YOUNG PROPOERTIES, 5418 L.P. (DE YOUNG),

Defendant.

Case No. 1:16-cv-01518-DAD-SKO

**ORDER DENYING WITHOUT PREJUDICE PLAINTIFF’S REQUEST TO SEAL DOCUMENTS**

**I. INTRODUCTION**

On March 20, 2018, Plaintiff Agnes Xie, proceeding *pro se*, submitted a document via e-mail requesting that the Court issue an order sealing medical documents, were attached to the document. The Court has reviewed Plaintiff’s request and has determined that, in its current form, it cannot be granted. For the reasons set forth below, the Court DENIES *without prejudice* Plaintiff’s request.

**II. DISCUSSION**

**A. The Request to Seal Documents Does Not Comply with Local Rule 141.**

Plaintiff’s request for a Court order sealing documents does not comply with Rule 141 (“Sealing of Documents”) of the Local Rules of the United States District Court, Eastern District of California. Pursuant to Local Rule 141(b), any party seeking to seal documents must submit a “Notice of Request to Seal Documents,” a “Request to Seal Documents,” a proposed order, and all documents covered by the request. L.R. 141(b). Plaintiff’s request fails to meet these requirements.<sup>1</sup>

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Rule 183(a) of the Local Rules of the United States District Court, Eastern District of California, provides in part: “Any individual representing himself or herself without an attorney is bound by the Federal Rules of Civil or Criminal

1 Local Rule 141(b) requires that the “Request to Seal Documents” (1) set forth the statutory  
2 or other authority for sealing; (2) the requested duration; (3) the identity, by name or category, of  
3 persons to be permitted access to the documents; and (4) all other relevant information, and

4 be either (1) e-mailed to the appropriate Judge or Magistrate Judge’s proposed  
5 orders e-mail box listed on the Court’s website, with the e-mail subject line  
6 including the case number and the statement: “Request to Seal Documents”; or (2)  
7 submitted on paper to the Clerk by hand delivery, by same-day or overnight  
8 courier, or by U.S. Mail; the envelope containing the Request, proposed order and  
9 documents shall state in a prominent manner “Request to Seal Documents.”

10 [. . .]

11 Except in matters in which it is clearly appropriate not to serve the “Request to  
12 Seal Documents,” proposed order, and/or documents upon the parties, which  
13 would include criminal pre-indictment matters, all Requests, proposed orders, and  
14 submitted documents shall be served on all parties on or before the day they are  
15 submitted to the Court. *See* L.R. 135.

16 L.R. 141(b). Plaintiff’s request does not identify the statutory or other authority for sealing  
17 beyond a vague reference to the Health Insurance Portability and Accountability Act of 1996  
18 (“HIPPA”), the requested duration of the sealing, and the identity of persons who are permitted to  
19 access the documents. Nor was Plaintiff’s request submitted to the Court or served on Defendant  
20 in the manner prescribed by the Rule.

21 **B. Plaintiff’s request for an Order sealing documents is Denied Without Prejudice.**

22 Plaintiff may submit a “Request to Seal Documents” that complies with Local Rule 141  
23 and corrects the deficiencies set forth in this order. In addition, Plaintiff may re-file a revised  
24 “Notice of Request to Seal Documents” that (1) describes generally the documents sought to be  
25 sealed; (2) the basis for sealing; (3) the manner in which the ‘Request to Seal Documents,’  
26 proposed order, and the documents themselves were submitted to the Court; and (4) whether the  
27 Request, proposed order, and documents were served on all other parties. *See* L.R. 141(b).

28 **III. CONCLUSION AND ORDER**

Accordingly, IT IS HEREBY ORDERED that Plaintiff’s request for an Order sealing  
documents is DENIED without prejudice to renewing the request.  
IT IS SO ORDERED.

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Procedure, these Rules, and all other applicable law. All obligations placed on ‘counsel’ by these Rules apply to  
individuals appearing in propria persona.”).

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Dated: March 22, 2018

*/s/ Sheila K. Oberto*  
UNITED STATES MAGISTRATE JUDGE