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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHARLES LAWTON,
Petitioner,
v.
WILLIAM MUNIZ, Warden,
Respondent.

Case No. 1:17-cv-00737-DAD-JDP
ORDER GRANTING RESPONDENT’S
REQUEST TO FILE DOCUMENT UNDER
SEAL
ECF No. 34

Petitioner Charles Lawton, a state prisoner without counsel, seeks a writ of habeas corpus under 28 U.S.C. § 2254. ECF No. 9. On July 24, 2019, respondent requested to file a document under seal pursuant to Local Rule 141(b). ECF No. 34-1. Petitioner has not filed an opposition to respondent’s request.

In the Ninth Circuit, there is a “strong presumption in favor of access to court records.” *See Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1135 (9th Cir. 2003). However, the presumption is not absolute and “can be overridden given sufficiently compelling reasons for doing so.” *See id.* Here, respondent seeks to seal lodged document 94, the confidential clerk’s transcript on appeal, which was sealed by the state court during petitioner’s previous proceedings. ECF No. 34-1. Respondent states he is barred “from disclosing the contents of any materials that have been sealed in anything that is subsequently filed” under state court rules. *See Cal. Rules of Court 8.46(d)(9)*. For good cause shown, respondent’s request is granted.

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IT IS SO ORDERED.

Dated: April 28, 2020


UNITED STATES MAGISTRATE JUDGE

No. 206.