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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KEVIN POTTS,
Petitioner,
v.
DANNY SAMUEL,
Respondent.

Case No. 1:20-cv-01236-NONE-HBK
ORDER GRANTING RESPONDENT’S
MOTION TO SEAL DOCUMENT
(Doc. No. 32)

Petitioner Kevin Potts, a state prisoner proceeding *pro se*, initiated this action by filing a petition for writ of habeas corpus under 28 U.S.C. § 2254. (Doc. No. 1). Petitioner is proceeding on his first amended petition. (Doc. No. 19). Before the court is Respondent’s motion to seal a document from the state court record. (Doc. No. 32).

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). The presumption, however, is not absolute and “can be overridden given sufficiently compelling reasons for doing so.” *See id.*

Respondent requests to file under seal one volume of Petitioner’s state court record that contains the Confidential Clerk’s Transcript, which was sealed by the state court during petitioner’s previous proceedings. (Doc. No. 32 at 1). The Transcript contains Petitioner’s medical records and probation documents. (*Id.*) Respondent states that he is permitted to “transmit [the confidential transcript] only to the reviewing court and to appellate counsel for the

1 People and the defendant who was the subject of the report.” Cal. R. Ct. 8.45(d)(5). For good
2 cause shown, respondent’s request is granted.

3 Accordingly, it is ORDERED:

4 The Clerk of Court shall file the confidential clerk’s transcript under seal in accordance
5 with Local Rule 141.

6
7 IT IS SO ORDERED.

8 Dated: June 7, 2021


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE

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