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**FILED**

JUL - 14 2009  
CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY   
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA  
SACRAMENTO DIVISION

**RAFAEL LOPEZ,**  
  
Plaintiff,  
  
v.  
  
**MARTEL, WARDEN, et al.,**  
  
Defendant.

2:08-cv-0826 FCD KJM P  
**ORDER SEALING CONFIDENTIAL  
MEMORANDUM DATED MARCH 27,  
2007**

(PC) Lopez v. Martel, et al

Doc. 43

Defendant Blim has moved for the Court to review in camera, and file under seal, a confidential memorandum dated March 27, 2007, authored by Blim and referred to in paragraph thirteen of Blim’s declaration in support of his motion for summary judgment.

After an in camera review of the document, the court finds that defendant has shown a compelling need for its sealing; specifically, sealing the document will protect the identity of a confidential informant in the prison. Kamakana v. City and County of Honolulu, 447 F.3d 1172, 1179 (9th Cir. 2006) (compelling reason to seal exists when material might “become a vehicle for improper purposes”).


IT IS HEREBY ORDERED:

1. Defendant’s motion to seal (docket no. 42) is granted;
2. The Clerk of the Court is directed to scan and seal the one page confidential memorandum dated March 27, 2007;

1           3. The Clerk of the Court is directed to keep the scanned confidential memorandum  
2 under seal for the duration of this litigation, including any appeals, and in perpetuity thereafter;  
3 and

4           4. The Clerk of the Court is directed to return the paper copy of the confidential  
5 memorandum dated March 27, 2007, to counsel for defendant Blim after it has been scanned and  
6 made part of the electronic record.

7 DATED: 7/13/09

  
KIMBERLY J. MUELLER  
U.S. Magistrate Judge

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