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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 ROBERT EDWARD MAURY,

11 Petitioner,

No. CIV S-12-1043 WBS DAD

12 vs.

DEATH PENALTY CASE

13 WARDEN, San Quentin State
14 Prison

15 Respondent.

ORDER

16 _____/
17 Respondent seeks to lodge under seal with this court records that were maintained
18 under seal by the California Supreme Court. (Dkt. No. 21.) Most of the documents in question
19 contain medical information regarding petitioner's family members. Another set of the
20 documents contains information regarding juvenile arrest records. Petitioner has filed no
21 opposition to respondent's request to seal.

22 The records respondent seeks to lodge with the court under seal contain
23 confidential, personal information. While there is a presumption of public access to judicial
24 records, this presumption may be overcome by a showing of a "real and substantial" privacy
25 interest. Eugene S. v. HorizonBlue Cross Blue Shield of New Jersey, 663 F.3d 1124, 1135-36
26 (10th Cir. 2011). Medical records are plainly confidential. Id. (sealing documents that included

1 “the name of, and/or personal and private medical information”). Further, juvenile criminal
2 records are not a matter of public record and are also confidential. See In re Gault, 387 U.S. 1,
3 25 (1967); T.N.G. v. Superior Court, 4 Cal. 3d 767, 781 (1971) (presumption of innocence and
4 the hazard that the information will be misused by third parties fully justifies a court’s refusal to
5 disclose information regarding juvenile detentions).

6 Accordingly, respondent’s August 10, 2012 Request to Seal Documents is
7 granted. The Clerk of the Court is directed to: (1) file under seal respondent’s August 10, 2012
8 Request to Seal Documents and Proposed Order; and (2) lodge under seal documents identified
9 as Lodged Sealed Document Nos. 1 through 7 in respondent’s Request to Seal filed August 10,
10 2012.

11 IT IS SO ORDERED.

12 DATED: August 27, 2012.

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16 DALE A. DROZD
17 UNITED STATES MAGISTRATE JUDGE

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maury lodged doc seal.or