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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

OSCAR GATES,

Petitioner,

v.
KEVIN CHAPPELL,
Acting Warden of San Quentin State Prison,

Respondent.

No. C 88-2779 WHA


DEATH-PENALTY CASE

**ORDER DENYING WITHOUT
PREJUDICE PETITIONER'S
MOTION TO FILE DOCUMENT
UNDER SEAL**

Petitioner is a condemned inmate at San Quentin State Prison. Through his counsel, he has requested to file a document, specifically a declaration of counsel, under seal. Because petitioner has not made an adequate showing pursuant to Civil Local Rules 79-5 and 7-11 that this document should be sealed, petitioner's motion is DENIED without prejudice.

IT IS SO ORDERED.

DATED: September 24, 2013



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE