

United States District Court
Northern District of California

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FILED

JAN 06 2021

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

CV 20-9519

EMC

ABIGAIL BLOOMKING,
Plaintiff,

v.

JAMIL MALIK BEY aka JOSH ROYCE
BROKEMOND,
Defendants.

Case No.

**ORDER DENYING REQUEST TO
SEAL RECORD AND CASE FILE**

Jamil Malik Bey aka Josh Royce Brokemond (hereinafter "Bey") deposited the following materials in the district court Drop Box for filing: (1) Drop Box Filing Information Card; (2) Civil Cover Sheet; (2) "Jamil Malik Bey's Affidavit Moving for Order Sealing Record and Case File"; (3) Application to Proceed In District Court Without Prepaying Fees or Costs; (4) Declination of Magistrate Form; (4) Notice of Removal of two cases pending in the Superior Court of California for the County of San Francisco, Case Nos. CUD-20-667140 and CCH-20-582607, which appear to be an unlawful detainer action pursuant to California Code of Civil Procedure section 1161(4) and a civil harassment petition. The purported bases for removal are 28 U.S.C. §§1441, 1443(b), 42 U.S.C. § 1981, and 18 U.S.C. § 242.

Bey's request to seal materials is based on California Assembly Bill 2819, signed by Governor Jerry Brown in September of 2016. Bey asserts that the case file contains

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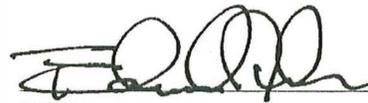
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discriminatory racially motivated allegations and statements that are false, fraudulent, damaging to his reputation and character, infringe his right to privacy, and that cause harm to his credit and ability to obtain credit and property.

Assembly Bill 2819, codified as California Code of Civil Procedure section 1161.2, limits public access to civil case records for unlawful detainer cases in state court. The statute is not applicable in federal court. The request to seal the record and case file is DENIED.

IT IS SO ORDERED.

Dated: January 6, 2021



EDWARD J. DAVILA
United States District Judge