

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION

RAY CHRIS MOBLEY,

Plaintiff,

v.

CASE NO. 5:11-cv-284-MP-GRJ

UNKNOWN CAPTAIN, et al.,

Defendant.

ORDER

Plaintiff initiated this civil action by filing Doc. 1, a *pro se* non-prisoner civil rights complaint pursuant to 42 U.S.C. § 1983. Plaintiff failed to either pay the \$350.00 filing fee or file a motion for leave to proceed as a pauper. Pursuant to N.D. Fla. Loc. R. 5.1(H), “[a] civil action shall not be filed by the clerk until the fee is paid . . . unless the complaint or petition is accompanied by a motion for leave to proceed *in forma pauperis* [IFP].”

Plaintiff also filed a Motion To Seal Case (Doc. 2) along with his Complaint in which he requested the Court to seal this case. In support of his request, Plaintiff states multiple law enforcement agencies in Georgia and Florida have shared information to cover up their crimes against Plaintiff. Other than that statement, the Plaintiff does not offer any further reasons or any legal justification for sealing the case.

Sealing of court records is highly disfavored. Brown v. Advantage Engineering, Inc., 960 F.2d 1013, 1015-16 (11th Cir. 1992). Records may only be sealed where a party shows a compelling interest in doing so, and where the sealing is narrowly tailored to effect that interest. Id. “[B]efore sealing a document, the district court must identify

and articulate ‘an overriding interest based on findings that [a seal] is essential to preserve higher values and is narrowly tailored to serve that interest. The interest is to be articulated along with findings specific enough that a reviewing court can determine whether the [sealing] order was properly entered.’” Dees v. Hydradry, Inc., 706 F. Supp. 2d 1227, 1245 (M.D. Fla. 2010)(quoting Press-Enterprise Co. v. Superior Court of California, 464 U.S. 501, 510, 104 S.Ct. 819, 78 L.Ed.2d 629 (1984)). Because Plaintiff has failed to provide any explanation, reasons or grounds why this case should be sealed – other than his assertion that law enforcement agencies have shared information to his detriment – Plaintiff’s motion is due to be denied.

Accordingly, it is **ORDERED**:

- (1) Plaintiff shall either pay the \$350.00 filing fee or file a motion for leave to proceed as a pauper **on or before November 18, 2011**.
- (2) The **Clerk** is directed to send Plaintiff a blank motion to proceed *in forma pauperis* for use by non-prisoners.
- (3) Failure to comply with this order within the allotted time will result in a recommendation that this case be dismissed.
- (4) Plaintiff’s Motion To Seal Case (Doc. 2) is **DENIED**.

DONE AND ORDERED this 31st day of October 2011.

s/ Gary R. Jones

GARY R. JONES
United States Magistrate Judge