

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

KAREEM ALI,	:	
	:	
	:	
Petitioner,	:	Civ. No. 19-18403 (NLH)
	:	
v.	:	MEMORANDUM OPINION & ORDER
	:	TO SEAL
	:	
	:	
BRUCE DAVIS,	:	
	:	
Respondent.	:	

APPEARANCE:

Kareem Ali
793553-B
New Jersey State Prison
PO Box 861
Trenton, NJ 08625

Petitioner Pro se

Jill S. Mayer, Acting Camden County Prosecutor
Maura Murphy Sullivan, Acting Assistant Prosecutor
Office of the County Prosecutor
200 Federal Street
Camden, NJ 08103

Attorneys for Respondent

HILLMAN, District Judge

WHEREAS, Petitioner Kareem Ali filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 challenging his Camden County conviction for first-degree aggravated assault, see ECF No. 1; and

WHEREAS, Respondent moved to dismiss the petition as time-barred, ECF Nos. 10 & 11. In connection with that motion, Respondent filed a motion to seal the habeas proceedings under Local Civil and Criminal Rule 5.3, see ECF No. 12; and

WHEREAS, the Court acknowledged the importance in protecting a minor victim's privacy, however it denied the motion to seal the entire case because sealing the entire case from public view would keep hidden documents that did not disclose private information and unduly infringe on Petitioner's right to have a public process on the decision of his habeas petition, ECF No. 18; and

WHEREAS, the Court permitted the unredacted documents to remain under a temporary seal in order to give Respondent time to submit redacted documents, id.; and

WHEREAS, Respondent thereafter filed an amended motion to dismiss the § 2254 petition with redacted documents, ECF No. 19. Respondent asks the Court to remove the previously filed documents, ECF No. 19-4; and

WHEREAS, the Court will not remove the documents filed under seal from the docket as it is necessary to keep a complete record of these proceedings. However, the Court finds that it is in the interests of justice to maintain the unredacted documents under a permanent seal as those documents contain

identifying information of the minor victim, Local Civ. R. 5.3;
and

WHEREAS, the Court will dismiss as moot the motion filed as Docket Entry 10 and proceed with the amended motion to dismiss. The Court will not consider any of the sealed documents as part of the amended motion to dismiss; and

WHEREAS, the Court will adjourn the amended motion to dismiss until August 16, 2021. Petitioner should file any opposition to the motion to dismiss by July 23, 2021,

THEREFORE, IT IS on this 25th day of June, 2021

ORDERED that Respondent's motion to dismiss, ECF No. 10, shall be, and hereby is, dismissed as moot; and it is further

ORDERED that the documents filed at Docket Entry 11 shall be, and hereby are, sealed on the public docket, Local Civ. R. 5.3; and it is further

ORDERED that the Clerk shall adjourn the amended motion to dismiss, ECF No. 19, until August 16, 2021. Petitioner's opposition is due July 23, 2021; and it is finally

ORDERED that the Clerk shall send Petitioner a copy of this Order by regular mail.

At Camden, New Jersey

s/ Noel L. Hillman
NOEL L. HILLMAN, U.S.D.J.