

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

LACHMAN BALRAM,

Petitioner,

-v.-

9:09-CV-01210
(TJM)

MARK L. BRADT,
Superintendent, Elmira C.F.,

Respondent.

APPEARANCES:

FOR PETITIONER:

OF COUNSEL:

LACHMAN BALRAM, 06-A-5117
Petitioner *Pro Se*
Elmira Correctional Facility
P.O. Box 500
Elmira, New York 14902-0500

FOR RESPONDENT:

HON. ANDREW M. CUOMO
Office of the Attorney General
120 Broadway
New York, New York 10271

ALYSON J. GILL, ESQ.
Ass't Attorney General

THOMAS J. MCAVOY, Senior U.S. District Judge

DECISION AND ORDER

Petitioner has filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 in which he challenges a 2006 judgment of conviction of first degree sodomy and related charges in Schenectady County Court. *See* Dkt. No. 1.

Presently before the Court is Respondent's motion to seal state court records and transcripts in this case. Dkt. No. 12. Respondent states that the name of the victim in this action appears throughout the state court briefs and trial transcript, and requests permission to file the state court

records under seal in order to protect the victim's identity pursuant to New York Civil Rights Law § 50-b. *See* Dkt. No. 12, Affidavit, at 2-3. Section § 50-b (1) provides, in relevant part, that the "identity of any victim of a sex offense . . . shall be confidential. No report, paper, picture, photograph, court file or other documents, in the custody or possession of any public officer or employee, which identifies such a victim shall be made available for public inspection."

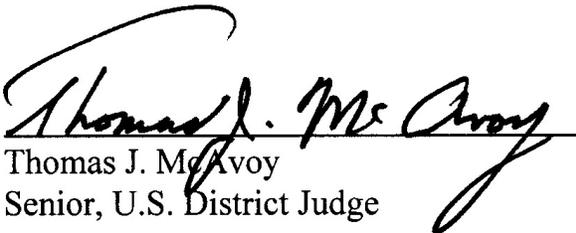
Respondent's request to file the state court records under seal is granted. Petitioner is advised that the sealing order will not affect his ability to litigate this action because he will be provided with copies of everything that is filed by the Respondent. The sealing order simply prevents the general public from access to the sealed documents filed in this action.¹

WHEREFORE, it is

ORDERED, that Respondent's motion to file the state court records in this case under seal (Dkt. No. 12) is **GRANTED**; and it is

ORDERED, that the Clerk of the Court serve a copy of this Order upon the parties in accordance with the Local Rules.

Dated: May 18, 2010


Thomas J. McAvoy
Senior, U.S. District Judge

¹ If a member of the general public request such access, the Court will consider redacting and releasing the requested materials at that time.