

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:14-cv-159-RJC
3:06-cr-151-RJC-1**

GUISEPPE PILEGGI,)
)
 Petitioner,)
)
 vs.)
)
 UNITED STATES OF AMERICA,)
)
 Respondent.)
 _____)

ORDER

THIS MATTER is before the Court on the Respondent’s Sealed Motion to Seal Exhibit A to its Response, (Doc. No. 26), and *pro se* Petitioner’s “Motion for Leave to Reply to Government’s Response,” (Doc. No. 27).


The Court’s Local Rules provide for a “presumption under applicable common law and the First Amendment that materials filed in this Court will be filed unsealed.” LCvR 6.1(a). A motion to seal must set forth: (1) a non-confidential description of the material sought to be sealed; (2) a statement indicating why sealing is necessary and why there are no alternatives to filing under seal; (3) unless a permanent seal is sought, a statement indicating how long the party seeks to have the material maintained under seal and how the matter is to be handled upon unsealing; and (4) supporting statutes, case law, or other authority. LCvR 6.1(c). Petitioner’s Motion does not comply with the Local Rules and, because the Motion itself is sealed, Petitioner has had no opportunity to respond. The Motion will therefore be denied without prejudice.

Petitioner’s Motion is construed as a motion for an extension of time until April 5, 2019 to file a Reply to the Government’s Response opposing his § 2255 Motion to Vacate. Petitioner’s Motion will be granted.

IT IS, THEREFORE, ORDERED that:

1. Respondent's Motion to Seal, (Doc. No. 26), is **DENIED** without prejudice to file a motion in compliance with the Court's Local Rules.
2. Petitioner's "Motion for Leave to File..." (Doc. No. 27), is construed as a motion for extension of time to file a Reply and is **GRANTED** until April 5, 2019.

Signed: March 14, 2019


Robert J. Conrad, Jr.
United States District Judge

