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6 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 JEFFERY M. KINZLE,

9 Petitioner,

Case No. C14-703-JCC-MLP

10 v.

11 MIKE OBENLAND,

12 Respondent.

ORDER DENYING PETITIONER'S
MOTION TO SEAL EXHIBIT A-115 OF
PETITIONER'S REPLY

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14 This is a federal habeas action brought under 28 U.S.C. § 2254. This matter comes before
15 the Court at the present time on Petitioner's motion to file under seal Exhibit A-115 of
16 Petitioner's reply to Respondent's answer to Petitioner's third amended petition for writ of
17 habeas corpus. Petitioner asserts in his motion that the exhibit contains information of a sensitive
18 and confidential nature which, if made public, could result in irreparable harm to Petitioner.

19 There is a strong presumption in favor of public access to court records. *Kamakana v.*
20 *City and County of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006); Local Civil Rule (LCR) 5(g).
21 A party seeking to seal such records must overcome this presumption by demonstrating
22 "compelling reasons" sufficient to outweigh the public's interest in disclosure. *Kamakana*, 447

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1 F.3d at 1178-79. While Petitioner argues that there are compelling reasons to seal the exhibit
2 given the sensitive and confidential nature of the information contained in the document, the
3 substantive portion of the exhibit is actually set forth verbatim in Petitioner's reply brief. (*See*
4 Dkt. # 71 at 18.) The only information contained in the document which might therefore be
5 deemed sensitive or confidential is Petitioner's date of birth which should be redacted pursuant
6 to LCR 5.2(a). Petitioner has not demonstrated that sealing exhibit A-115 is either necessary or
7 appropriate.

8 Accordingly, the Court hereby ORDERS as follows:

9 (1) Petitioner's motion to seal Exhibit A-115 (Dkt. # 72) is DENIED. Petitioner may
10 re-file the exhibit in a manner that complies with LCR 5.2(a) no later than ***April 19, 2019***. The
11 exhibit currently on file with the Court will remain under seal until that date.

12 (2) The Clerk is directed to send copies of this Order to all counsel of record and to
13 the Honorable John C. Coughenour.

14 DATED this 16th day of April, 2019.

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17 MICHELLE L. PETERSON
18 United States Magistrate Judge