

General Information Regarding Criminal Sealed Filings

Sealed Cases

- In sealed cases, you still file in paper format.

Sealed Documents

Aside from very limited exception in the General Order on Electronic Case Filing, you are required to e-file sealed/restricted documents in criminal cases.

- You **will not** be able to view a sealed document after it is filed.
- Opposing counsel **will not** be able to view the document you have filed.
- A Notice of Electronic Filing will be sent to opposing counsel, however, it does not constitute service (General Order 16-0020 X (C).)
- Service to opposing counsel **must be** made using non-CM/ECF means.

Ex Parte Motions/Documents

- A Notice of Electronic Filings **will not** be sent to opposing counsel.
- You **will not** have the ability to view the document after it is filed; only chambers will be able to view the document.

IMPORTANT: This event is for SEALED documents only.

Pursuant to 26.2(c) any party wishing to file a document or portion of a document electronically under seal in connection with a motion, brief or other submission must

1 provisionally file the document electronically under seal

2 file electronically at the same time a public-record version of the brief, motion or other submission with only the sealed document excluded and

3 move the court for leave to file the document under seal.

The sealing motion must be filed before or simultaneously with the provisional filing of the document under seal, and must be noticed for presentment promptly thereafter. Any document filed under seal without such a sealing motion may be stricken by the court without notice.

Sealed documents can only be filed pursuant to court order as provided for by LR26.2. You **will not** have the ability to view the document after it is filed. A Notice of Electronic Filing will be sent to opposing counsel who **will not** be able to view the document you have filed. Therefore, service to opposing counsel must be made using non-CM/ECF means.

Next Clear

LR26.2 (c) Sealing Motion for Documents filed Electronically.

Pursuant to Local Rule 26.2(c), any party wishing to file a document or portion of a document electronically under seal must:

- (1) provisionally file the document electronically under seal;
- (2) file electronically at the same time a public-record version of the brief, motion or other submission with only the sealed document excluded; and
- (3) move the court for leave to file the document under seal. The sealing motion must be filed before or contemporaneously with the provisional filing of the document under seal, and must be noticed for presentment promptly thereafter.

The prompt below will appear for all sealed events. **You must enter Y or N** to continue filing the document.

1:09-cr-00003 USA v. Doe

Enter Y or N in the box below to determine whether this entry is visible to persons viewing the docket.

If you enter Y, the text of this entry will be visible on the docket, but the document itself will be restricted and will not be viewable.

If you enter N, neither the text of the entry nor the restricted document will appear on the docket.

Would you like this docket entry to be visible? Enter Y or N

Next Clear

[File a Sealed Motion](#)page 2

[File a Sealed Reply to a Motion](#).....page 4

[File a Sealed Response](#).....page 5

[File a Sealed Exhibit](#).....page 6

[File a Sealed Document](#)page 6

File a Sealed Motion

1. Click **Criminal** on the menu bar.
2. Click **Motions**.
3. Enter the case number.
4. Click **Find This Case** and click **Next**.
5. Verify that the case title and case number are correct.
 - If correct, proceed to Step 7.
 - If incorrect, click **Back** and re-enter.
7. Select the filer and click **Next**. **(Make sure you select only the defendant to which this document pertains.)**
8. Select **Sealed Motion** and click **Next**.

9. **READ** the notice and then click **Next** to continue filing the document.

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- 1 provisionally file the document electronically under seal
- 2 file electronically at the same time a public-record version of the brief, motion or other submission with only the sealed document excluded and
- 3 move the court for leave to file the document under seal.

The sealing motion must be filed before or simultaneously with the provisional filing of the document under seal, and must be noticed for presentment promptly thereafter. Any document filed under seal without such a sealing motion may be stricken by the court without notice.

Sealed documents can only be filed pursuant to court order as provided for by LR26.2. You **will not** have the ability to view the document after it is filed. A Notice of Electronic Filing will be sent to opposing counsel who **will not** be able to view the document you have filed. Therefore, service to opposing counsel must be made using non-CM/ECF means.

10. Click **Browse** and select appropriate document(s), and then click **Next**.
11. Enter the appropriate response and click **Next**.
 Y = The docket entry can be viewed; document is sealed.
 N = The docket entry and document are sealed.
12. Enter type of relief in text box and click **Next**.
13. Modify the docket text as needed and click **Next**.
14. Verify the entry is correct and click **Next**. **Remember, you cannot view the document once it is filed.**

File a Sealed Reply to Motion

1. Click **Criminal** on the main menu.
2. Click **Responses and Replies**.
3. Enter the case number.
4. Click **Find This Case** and click **Next**.
5. Verify that the case title and case number are correct.
 - Click **Next** if correct.
 - Click **Back** and re-enter if incorrect.
6. Click **Sealed Reply** and click **Next**.
7. Select the party and click **Next**. (**Make sure you select only the defendant to which this document pertains.**)
8. **READ** the notice and then click **Next** to continue filing the document.

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- 2 file electronically at the same time a public-record version of the brief, motion or other submission with only the sealed document excluded and
- 3 move the court for leave to file the document under seal.

The sealing motion must be filed before or simultaneously with the provisional filing of the document under seal, and must be noticed for presentment promptly thereafter. Any document filed under seal without such a sealing motion may be stricken by the court without notice.

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9. Click **Browse** and select the appropriate document(s), and then click **Next**.
10. Enter the appropriate response.
 - Y** = The docket entry can be viewed; document is sealed.
 - N** = The docket entry and document are sealed.
11. Select the appropriate event(s) to which you are replying.
13. Modify the docket text as needed and click **Next**.
14. Verify the entry is correct and click **Next**. **Remember, you cannot view the document once it is filed.**

File a Sealed Response

1. Click **Criminal** on the main menu.
2. Click **Responses and Replies**.
3. Enter the case number.
4. Click **Find This Case** and click **Next**.
5. Verify that the case title and case number are correct.
 - Click **Next** if correct.
 - Click **Back** and re-enter if incorrect.
6. Click **Sealed Response** and click **Next**.
7. Select the party and click **Next**. (**Make sure you select only the defendant to which this document pertains.**)
8. **READ** the notice and then click **Next** to continue filing the document.

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9. Click **Browse** and select the appropriate document(s), and then click **Next**.
10. Enter the appropriate response.
 - Y** = The docket entry can be viewed; document is sealed.
 - N** = The docket entry and document are sealed.
11. To link your document to a **previously filed document** check the box and click **Next**. Otherwise, click **Next**.
12. Check the box next to the events to which you are responding.
13. Modify the docket text as needed and click **Next**.
14. Verify the entry is correct and click **Next**. **Remember, you cannot view the document once it is filed.**

File a Sealed Exhibit

1. Click **Criminal** on the main menu.
2. Click **Trial Documents**.
3. Enter the case number.
4. Click **Find This Case** and click **Next**.
5. Verify that the case title and case number are correct.
 - Click **Next** if correct.
 - Click **Back** and re-enter if incorrect.
6. Click **Sealed Exhibit** and click **Next**.
7. Select the party and click **Next**. (Make sure you select only the defendant to which this document pertains.)
8. **READ** the notice and then click **Next** to continue filing the document.

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Next Clear

9. Click **Browse** and select the appropriate document(s), and then click **Next**.
10. Enter the appropriate response.
 - Y** = The docket entry can be viewed; document is sealed.
 - N** = The docket entry and document are sealed.
11. Select the party and click **Next**.
12. To link your document to a **previously filed document** check the box and click **Next**. Otherwise, click **Next**.
13. Check the box next to the events to which you are responding.
14. Modify the docket text as needed and click **Next**.
15. Verify the entry is correct and click **Next**. Remember, you cannot view the document once it is filed.

File a Sealed Document

- A Notice of Filing will be sent to opposing counsel.
 - Opposing counsel **will not** be able to view the document you have filed.
 - Service to opposing counsel **must be** made using non-CM/ECF means.
1. Click **Criminal** on the main menu.
 2. Click **Other Documents**.
 3. Enter the case number.
 4. Click **Find This Case** and click **Next**.
 5. Verify that the case title and case number are correct.
 - Click **Next** if correct.
 - Click **Back** and re-enter if incorrect.
 6. Click **Sealed Document** and click **Next**.
 7. **READ** the notice and then click **Next** to continue filing the document.

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- 1 provisionally file the document electronically under seal
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8. Click **Browse** and select the appropriate document(s), and then click **Next**.
9. Enter the appropriate response, and click **Next**, twice.
 - Y** = The docket entry can be viewed; document is sealed.
 - N** = The docket entry and document are sealed.
10. Modify the docket text as needed and click **Next**.
11. Verify the entry is correct and click **Next**. **Remember, you cannot view the document once it is filed.**