

**UNITED STATES DISTRICT COURT
DISTRICT OF UTAH**

ELECTRONICALLY FILING SEALED DOCUMENTS IN CRIMINAL CASES

1. Electronic Filing of Sealed Documents

a. No Motion Required

- i. Pursuant to DUCrimR 49-2(c), documents containing sensitive, confidential, or personal information for or about a defendant or other individuals; documents pertaining to grand jury matters; or documents prepared for the court's use in plea or sentencing proceedings, may be filed under seal without a motion or prior approval from the court. If the entire case has been sealed, however, no efileing is permitted, as the docket is not available to anyone outside the court.

b. Caption Requirement

- i. The caption for sealed documents must clearly state FILED UNDER SEAL.

c. Service of Sealed Documents

- i. Sealed documents, including motions will not appear on the public docket, and no Notice of Electronic Filing (NEF") will be sent.
- ii. Counsel are responsible for serving copies of sealed documents on other parties.

d. Sealed Ex Parte Motions Filed by CJA Panel Attorneys

- i. CJA Panel Attorneys who are requesting authorization for expert services should do so by submitting a request and supporting memorandum for authorization in the court's eVoucher system. These requests should not be efiled in CM/ECF.
- ii. The following sealed ex parte motions may be efiled in CM/ECF in unsealed cases: motions for issuance of subpoenas, motions for subpoenas duces tecum, motions for appointment of cocounsel, and motions for orders permitting medical or psychological contact/visits.

2. Efiling Procedures for Criminal Filings

a. **Sealed Motions** –

- i. Select CRIMINAL on the blue toolbar.

**UNITED STATES DISTRICT COURT
DISTRICT OF UTAH**

- ii. Click **Motions** under Motions and Related Filings.
- iii. Enter the case number and follow the prompts to select the filer.
- iv. Select **Sealed Motion** under the list of Available Events.

The screenshot shows a search input field containing the text 'sealed'. To the right of the input field is the text 'Click your selection, or use a'. Below the input field is a dropdown menu titled 'Available Events (click to select events)'. The dropdown menu is open, and 'Sealed Motion' is highlighted in blue. Below the dropdown menu are two buttons: 'Next' and 'Clear'.

- v. Click Next to advance after reading the notifications regarding proposed orders and the notification of sealed filings.
- vi. Attach the PDF and complete the filing, linking to any previously filed related documents, if necessary.

Select the pdf document and any attachments.

The screenshot shows a 'Main Document' section with a 'Choose File' button and the text 'No file chosen'. Below this is a table with three columns: 'Attachments', 'Category', and 'Description'. The table has one row with a 'Choose File' button, 'No file chosen', a dropdown menu, and an empty text field. Below the table are two buttons: 'Next' and 'Clear'.

- vii. Review final docket text. Add a modifier if needed.

The screenshot shows a 'Docket Text: Modify as Appropriate.' section. Below this is a dropdown menu with the text 'SEALED MOTION by USA as to Jorge Rene Cota-Barraza'. Below the dropdown menu is a note: 'NOTE: Filer is instructed to serve the sealed document on all other parties. (Desk, Help)'. Below the note are two buttons: 'Next' and 'Clear'.

*NOTE: The docket text relating to sealed documents in criminal cases does not have descriptive text. The docket text will state only the name of the event, such as “Sealed Motion, the name of the filing party, and the defendant the filing applies to.

*NOTE: The docket text will remind the filer that they are responsible for serving sealed documents on other parties, as no NEF will be sent for sealed documents. Even though a NEF will appear upon completion of filing the motion, **this notice will not be sent to any party on the case, including the filer.** The filer will be responsible for serving any other parties, when necessary.

- b. **Other Sealed Documents** - Documents filed per DUCrimR 49-2(c)(3) in unsealed cases are to be filed using the “Sealed Entry-Document” event.

**UNITED STATES DISTRICT COURT
DISTRICT OF UTAH**

- i. Select CRIMINAL on the blue toolbar.
- ii. Select **Other Documents** under the Other Filings category
- iii. Select Sealed Entry-Document from the drop-down menu.



The screenshot shows a web interface for filing documents. At the top, there is a blue header with the text "Other Documents". Below this header is a search box containing the word "sealed". To the right of the search box is a button labeled "Click your selection, or use arrow keys". Below the search box is a dropdown menu with the text "Available Events (click to select an event)". The dropdown menu is open, and the option "Sealed Entry-Document" is highlighted in blue. Below the dropdown menu are two buttons: "Next" and "Clear".

- iv. Enter the case number. Select the appropriate defendant, if necessary.
- v. Click Next after reading the screens reminding you that no NEF will be sent and that a certificate of service should be attached to the document image.
- vi. Add the PDF(s) of the Main Document, and any attachments.
- vii. Select the party filing the Document.
- viii. Link the entry to any related entries. ix.

Submit the filing.

- x. **No Notice of Electronic Filing will be sent. The filer is responsible for serving copy of the filing to the appropriate parties.**