



8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10

11 IN THE MATTER OF) GENERAL ORDER NO. 15-01
12 ACCESS TO SEALED DOCUMENTS)
13 IN CRIMINAL CASES SUBJECT TO)
14 U.S. SENTENCING GUIDELINES)
MANUAL AMENDMENT 782)

15 On November 1, 2014, Amendment 782 to the United States Sentencing
16 Guidelines Manual (“U.S.S.G.”) took effect. As a result of that amendment, a number
17 of defendants previously sentenced in this Court pursuant to U.S.S.G. § 2D1.1 may be
18 eligible for a reduction of sentence. To evaluate a defendant’s eligibility, counsel
19 may need access to sealed case records, which requires a written order of the Court.
20 *See* L.R. 79-5.2. Rather than entertain applications for such orders in each individual
21 case, *see* L.R. 79-5.3, the Court has determined that it would be more efficient to
22 address the disclosure of all such records through this one General Order.

23 Accordingly, IT IS HEREBY ORDERED that the Clerk is authorized to
24 provide the government with copies of sealed case records when:

- 25 (1) the government files a written request for copies of sealed records
26 in the case in which those documents were filed;
27 (2) the request is signed by Assistant United States Attorney Kevin M.
28 Lally, Chief of the OCDETF Section, OR Assistant United States

1 Attorney Elizabeth R. Yang, Chief of the VOC Section, OR one of
2 his or her successor(s); AND

- 3 (3) the request is made expressly pursuant to this General Order, with
4 a certification that it is being made for purposes of contemplated
5 litigation regarding a sentence reduction based on Sentencing
6 Guidelines Amendment 782 to U.S.S.G. 2D1.1.

7 To the extent possible, the request should be limited to documents that are relevant to
8 determining whether a defendant is eligible for a sentence reduction, and should
9 identify those documents by their docket numbers or by a date range within which all
10 sealed filings are requested. Because it may not always be possible to identify the
11 relevant sealed documents from the docket, however, the government may request all
12 sealed documents filed in such a case. Notwithstanding the foregoing, the Clerk is
13 not authorized to provide copies of any documents filed “in camera” by a defendant,
14 or of any transcripts or minutes of proceedings held outside the presence of counsel
15 for the government.

16 The government is authorized to provide copies of records obtained pursuant to
17 this General Order to a defendant’s counsel for purposes of litigating the defendant’s
18 eligibility for a sentence reduction under Amendment 782. Defense counsel, in turn,
19 is authorized to provide those records to the defendant and to any successor counsel.
20 Counsel shall not otherwise disseminate any such sealed records. If the records are to
21 be re-presented to this Court, the Ninth Circuit, or the Supreme Court, they must be
22 presented under seal.

23 IT IS SO ORDERED.

24 
25 _____
26 CHIEF UNITED STATES DISTRICT JUDGE

27 *Date of Approval by the Court:*

December 26, 2014

28 *Date of Filing by the Clerk:*

January 12, 2015