

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

No. 10-99021

JEFFREY TIMOTHY LANDRIGAN,

Plaintiff-Appellee,

v.

JANICE K. BREWER, et. al,

Defendants-Appellants.

(Capital Case)

MOTION TO FILE DOCUMENTS UNDER SEAL

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Pursuant to Circuit Rule 27–13; Fed. R. App. P. 10(b)(2), the State of Arizona requests permission to file under seal the documents relating to the source of the drugs to be used for the execution scheduled for October 26, 2010 that were provided to United States District Judge Roslyn Silver for *in camera* review. The State requests that this Court permit such filing for consideration by the en banc court because the documents contain information that is confidential under Arizona law. *See* A.R.S. § 13–757 (prohibiting disclosure of information relating to the identity of executioners and persons performing ancillary functions to an execution).

DATED this 26th day of October, 2010.

Terry Goddard
Attorney General

/s/ _____
Kent E. Cattani
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CERTIFICATE OF SERVICE

I hereby certify that on October 26th, 2010, I electronically filed this motion with the U.S. Court of Appeals for the Ninth Circuit, by using the Court's Case Management/Electronic Case Files (CM/ECF) system.

Copies of this Motion were deposited for mailing this date to:

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