SORTING DOCUMENTS FOR **EXCERPTS OF RECORD** Presentence **Reports and** Unsealed Sealed documents* documents* related documents Is the Do not document(s) Is the unsealed document include in available on the district court still sealed? the excerpts docket? of record and do not Bates number them. YES NO YES NO File via Include only sealed Do you want Appellate them to be document(s) in a CM/ECF sealed by this Include in the separate volume Do not include in The excerpts of Court? (always the last volume) the excerpts of documents record and Bates in the excerpts of record record and do not will number (i.e., SER and Bates number Bates number automatically 001) them. be sealed. YES NO File via File a Motion If the document(s) are If the document(s) Appellate For Leave to sealed as required by a are sealed by order, CM/ECF Transmit a statute or procedural then file a Motion to Refer to Copy of rule, then file the **Submit Sealed** File a Motion unsealed Exhibit(s) to the Notice of Sealing Under **Documents** and to Submit a documents **Court** pursuant Interim Circuit Rule 27attach the volume of section of this Sealed to Ninth Circuit 13 form and attach the excerpts of record Document chart Rule 27-14. volume of excerpts of containing the and attach the record containing the document(s). document(s). sealed document(s). (FED. R. APP. P. (FED. R. APP. P. 27(e)) (FED. R. APP. P. 27(e)) 27(e)) Do not include a copy of the exhibit or mail a copy to the Court until the File via Appellate File via Appellate Court orders CM/ECF using filing CM/ECF using filing you to do so. type: "File Notice of type: "File Motion to File Document Under Filing Document Seal and Submit Under Seal and Submit Document" Document" The Court will The motion and The notice and defer ruling on documents will be documents will be the motion provisionally sealed by provisionally sealed by until after the the Court for review. the Court for review. completion of briefing.

*This may include audios, videos, psych exams, etc.

Created By: Angela Nyland U.S. Attorney's Office District of Idaho Last updated: September 22, 2017