

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA

In Re: Rules for Filing Documents                    )       General Order No. 2012-8  
Under Seal in Criminal Cases                        )

ORDER

IT IS ORDERED that in criminal cases the following documents may be filed under seal without motion or further order of the court provided counsel has a good faith belief that sealing is required to ensure the safety, privacy or cooperation of a person or entity, or to otherwise protect a substantial public interest:

1. Documents filed pre-indictment;
2. Documents filed in a sealed case post-indictment and prior to the first defendant being arrested;
3. Requests for search warrants, including warrants for tracking devices;
4. Requests for interception of communications pursuant to 18 U.S.C. § 2516;
5. Requests for phone record information pursuant to 18 U.S.C. § 2703;
6. Requests for tax return information pursuant to 26 U.S.C. § 6103;
7. Motions for sentence variance or reduction based on substantial assistance pursuant to Fed. R. Crim. P. 35 or U.S.S.G. § 5K1.1, including supporting documents; and
8. Motions for competency exam.

IT IS FURTHER ORDERED that when the documents identified above are filed under seal pursuant to this Order, the documents must contain the words “under seal” in parentheses below the case number or below the area where the case number will be placed.

IT IS FURTHER ORDERED that other than the documents identified above, in all criminal cases, documents may be sealed only if they are subject to a prior protective order or are accompanied by a contemporaneous motion to seal, which motions may be filed under seal if necessary.

IT IS FURTHER ORDERED that sealed motions for sentence variance or reduction based upon substantial assistance pursuant to Fed. R. Crim. P. 35 or U.S.S.G. § 5K1.1, including supporting documents, shall be filed electronically by attorneys. The proper event should be selected when filing the sealed document. The PDF document should be attached to the event and the system will automatically seal the document. Once electronically filed, this sealed entry may only be viewed by authorized court users and authorized attorneys. This order exempts sealed motions for sentence variance or reduction based upon substantial assistance from the requirements of N.D.Ind.L.R. 5-3.

IT IS SO ORDERED this 5th day of June, 2012.

/s/ Philip P. Simon  
Philip P. Simon, Chief Judge

/s/ William C. Lee  
William C. Lee, Judge

/s/ James T. Moody  
James T. Moody, Judge

/s/ Rudy Lozano  
Rudy Lozano, Judge

/s/ Robert L. Miller, Jr.  
Robert L. Miller, Jr., Judge

/s/ Theresa L. Springmann  
Theresa L. Springmann, Judge

/s/ Joseph S. Van Bokkelen  
Joseph S. Van Bokkelen, Judge

/s/ Jon E. DeGuilio  
Jon E. DeGuilio, Judge