

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

NORTH CAROLINA STATE CONFERENCE OF )  
THE NAACP, *et al.*, )

Plaintiffs, )

v. )

1:13CV658

PATRICK LLOYD MCCRORY, in his )  
official capacity as Governor of )  
North Carolina, *et al.*, )

Defendants. )

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LEAGUE OF WOMEN VOTERS OF NORTH )  
CAROLINA, *et al.*, )

Plaintiffs, )

*and* )

LOUIS M. DUKE, *et al.*, )

Plaintiffs- )  
Intervenors, )

1:13CV660

v. )

THE STATE OF NORTH CAROLINA, *et* )  
*al.*, )

Defendants. )

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UNITED STATES OF AMERICA, )

Plaintiff, )

v. )

1:13CV861

THE STATE OF NORTH CAROLINA, *et* )  
*al.*, )

Defendants. )

**ORDER**

On September 8, 2015, Defendants filed a motion to seal documents admitted into the trial record and identified as DX 51 and DX 53 pursuant to Fed. R. Civ. P. 5.2, Local Rule 5.4, and Section T of the CM/ECF Policy Manual. (Doc. 372 in case 1:13CV658; Doc. 354 in case 1:13CV861; Doc. 365 in case 1:13CV660.) The motion states that it was filed in response to a request by Plaintiffs at trial that these documents be sealed, to which Defendants do not object. (Id. ¶ 3.) The motion further states, "Plaintiffs are aware that, as the party claiming confidentiality, they will have fourteen (14) days to file a brief providing all of the information in support of this Motion to Seal as required by paragraphs (b) and (c) of Local rule 5.4." (Id. ¶ 4.) However, to date no supporting brief has been filed.

Trials are important matters to which the public has a right of access under the common law and the First Amendment. For this reason, courts cannot seal evidence simply because the parties may appear to agree. Justification must be provided.

Local Rule 5.4(d) provides that for cases under Local Rule 5.4(c), if the party claiming confidentiality fails to file a brief in accordance with paragraph (b) within fourteen days after the motion to seal is filed, the motion "will ordinarily be denied and the materials will be unsealed." L.R. 5.4(d).

Accordingly, because no supporting brief has been filed within the time allowed,

IT IS THEREFORE ORDERED that the motion to seal (Doc. 372 in case 1:13CV658; Doc. 354 in case 1:13CV861; Doc. 365 in case 1:13CV660) is DENIED for failure to provide a supporting brief, pursuant to Local Rule 5.4(d).

          /s/          Thomas D. Schroeder  
United States District Judge

February 2, 2016