

United States District Court
Eastern District of New York

Steps for E-filing Sealed Documents - Criminal Cases

1. **Attorney will e-file a Motion for Leave to e- file a Sealed Document. The proposed sealed document(s) should be attached to this filing.**

At the time of this filing, ECF will automatically seal the docket entry and both the Motion and the Proposed Sealed Document(s).

2. **Judge will e-file an Order ruling on the Motion for Leave to e-file Sealed Document(s).**

ECF will treat the Order as a Sealed document. Both the docket entry and the documents will be sealed.

A Notice of Electronic Filing (NEF) will be sent to court users only. *This NEF will then be forwarded to the attorney by chambers, the case manager, or the docket clerk to advise the filer of the court's ruling.* The NEF will include a link to EDNY's instructions on how to e-file sealed documents, which is posted on our website.

If the Order grants the Motion for Leave to e-file Sealed Document - the attorney will be directed to e-file his Sealed Document(s) again, using the appropriate Event and the Sealed Document event.

For example; to e-file a Sealed Motion to Compel:

Under Motions: select both the Sealed Document and Compel events. Both selections should appear in the Selected Events box.

If Order denies the Motion for Leave to e- file Sealed Document, the attorney will be notified that they are not allowed to e-file the Document as a Sealed Document. The attorney may then choose to e-file it as a public document or not file it.

Note: E-filing a motion for leave to e-file as sealed document is not the same as the e-filing of a motion for leave to e-file an ex parte document. An ex parte document is viewable by court staff and the filing party only. A sealed document is viewable only by those with sealed access to the case.