

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

STANDING ORDER REGARDING )  
SEALING DOCUMENTS FILED )  
IN CRIMINAL MATTERS )  
\_\_\_\_\_ )

This order addresses procedures for sealing documents regarding requests for downward departure under 18 U.S.C. § 3553(e), United States Sentencing Guidelines § 5K1.1, or reduction of sentence under Fed. R. Crim. P. 35, as well as *pro se* filings seeking sentence reductions based on cooperation.

**Filings by Government or Defense Counsel.** No motion or memorandum filed by the Government or defense counsel relating to a request for downward departure under 18 U.S.C. § 3553(e), United States Sentencing Guidelines § 5K1.1, or reduction of sentence under Fed. R. Crim. P. 35 shall be filed under seal absent compliance with Local Crim. Rule 49.01(B) (D.S.C.).

**Filings by Pro Se Defendants.** This order serves as prior authorization under Local Crim. Rule 49.01(A)(1) (D.S.C.) for the Clerk of Court to file, under seal, documents received from *pro se* defendants seeking reduction of sentence based on cooperation. The court finds that the nature of a *pro se* request for reduction of sentence based on cooperation warrants sealing for the following reasons: (1) such a request may place the moving defendant at risk of physical harm; (2) absent sealing, the information will be easily available to the public through the Public Access to Court Electronic Records (“PACER”) system; and (3) *pro se* defendants are unlikely to be aware of or have the capacity to satisfy requirements for filing a motion to seal under Local Crim. Rule 49.01(B) (D.S.C.).

**Future Challenge to Sealing.** Sealing pursuant to this order and Local Crim. Rule 49.01 may be challenged by any person at any time. Any motion seeking to unseal documents shall address the factors governing sealing reflected in controlling case law.

**IT IS SO ORDERED.**

  
Terry L. Wooten  
Chief United States District Judge

Columbia, South Carolina  
October 28, 2014