

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FILED

2009 JUL -8 AM 10: 22

CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

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ORDER REGARDING SEALING OF WARRANTS

If the government wishes to have a search or seizure warrant sealed, it shall file a motion seeking that relief, and shall submit a proposed order in the form attached. In the first instance, in granting such a motion, the Court will order the warrant documents sealed for 30 days. This initial sealing period may be extended for additional 60-day periods, but only on the affirmative motion of the government.


On the first day of each month the magistrate judges' courtroom deputies will send an email to a person or persons designated by the U.S. Attorney's office containing a spreadsheet that lists all of the warrants currently under seal, and setting forth the dates that the warrants' sealing did, or will, expire. That report shall be maintained under seal as well. For any warrant listed in the report for which the sealing order has expired, if the government wishes that warrant to remain under seal, it must file a motion requesting an extension by the tenth day of the same month in which the warrant is first listed in the spreadsheet as having had its sealing order expire. The government shall make a good faith effort to only seek the continued sealing of warrants for which that is necessary, and shall not move to extend the sealing of a warrant without first determining that an investigation remains pending or that there is some other valid basis on which the warrant should remain sealed.

If no extension request is received by the tenth day of the month for any warrant whose sealing order has expired, and has been so listed on the monthly report, that warrant will be unsealed

and filed in the public records of the court. No additional notice will be provided to the government prior to the unsealing.

This standing order and the procedures set out herein are applicable in the Austin Division of the Western District of Texas.

SIGNED this 8th day of July, 2009.



SAM SPARKS
UNITED STATES DISTRICT JUDGE



LEE YEAKEL
UNITED STATES DISTRICT JUDGE



ANDREW W. AUSTIN
UNITED STATES MAGISTRATE JUDGE



ROBERT PITMAN
UNITED STATES MAGISTRATE JUDGE

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

SEALED

In the Matter of the Search Of:

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NO. A-09-____ M

ORDER

Before the Court is the Government's Motion to Seal the Application and Affidavit for Search Warrant and the Search Warrant in the above-styled case, and after considering the same, the Court is of the opinion that it should be granted in the interest of law enforcement.

ACCORDINGLY, it is hereby ORDERED that the Clerk of the Court file the Application and Affidavit and the Warrant under seal for a period of 30 days. Should the government wish the warrant documents to remain sealed thereafter, it must file a motion seeking that relief in a manner consistent with the Standing Order of this Division on the sealing of warrants. Failure to seek the continuation of sealing will result in the warrant documents being unsealed.

IT IS FURTHER ORDERED that the Government's Motion to Seal, as well as this order shall remain sealed until such time as the remaining warrant documents are unsealed.

SIGNED this ____ day of _____, 20__.

UNITED STATES MAGISTRATE JUDGE