

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 22-00058-01 JAO-KJM
	)	
Plaintiff,	)	ORDER DENYING THE
	)	GOVERNMENT’S MOTION TO FILE
vs.	)	UNDER SEAL EXHIBIT B TO THE
	)	UNITED STATES’ RESPONSE IN
PAUL JOSEPH SULLA, JR.,	)	OPPOSITION TO SULLA’S MOTION
	)	FOR BAIL PENDING APPEAL
Defendant.	)	
_____	)	

ORDER DENYING THE GOVERNMENT’S MOTION TO FILE  
UNDER SEAL EXHIBIT B TO THE UNITED STATES’ RESPONSE  
IN OPPOSITION TO SULLA’S MOTION FOR BAIL PENDING APPEAL

The Court has considered the Government’s Motion to File Under Seal Exhibit B to the United States’ Response in Opposition to Sulla’s Motion for Bail Pending Appeal (“Motion”). ECF No. 723. For the reasons set forth below, the Motion is DENIED.

Settled Ninth Circuit law establishes a strong presumption of public access to judicial records, requiring any party seeking to seal them to show compelling reasons that overcome the public’s right of access. *Civil Beat Law Ctr. for the Pub. Interest, Inc. v. Maile*, 117 F.4th 1200, 1207–08 (9th Cir. 2024); *Oregonian Publ’g Co. v. U.S. Dist. Ct.*, 920 F.2d 1462, 1466 (9th Cir. 1990). The sealing request must be narrowly tailored and employ less restrictive alternatives where feasible, including targeted redactions when only portions of a document are claimed to be sealable. *Maile*, 117

F.4th at 1211 (mandatory sealing of the entire record is not the least restrictive means available to protect privacy interests when redactions can protect that interest). Here, the Government seeks to seal the entirety of Exhibit B. Because the Government makes no effort to narrowly tailor its request, instead of seeking wholesale sealing of the entire exhibit, the Government fails to meet its significant burden on this motion.

Furthermore, the Government acknowledges that its proposed Exhibit B contains information already disclosed by Defendant Sulla on the public docket. The Motion states that “some of the pages contained within the actual Exhibit B reflect medical information that Sulla has previously disclosed on the public docket in this action.” ECF No. 723 at 2. Given that at least portions of Exhibit B are admittedly public, sealing the entire exhibit is not permissible. The Government does not explain why redactions would be insufficient; nor does it identify with specificity the portions of Exhibit B that may warrant sealing. The Court will not seal publicly disclosed information, and any sealing must be limited to specific, identified portions for which compelling reasons are established. The Motion fails to establish such reasons.

Accordingly, the Court DENIES the Motion. If the Government continues to seek sealing, it must file a renewed motion that:

(1) identifies with specificity the portions of Exhibit B proposed for sealing, along with the compelling reasons applicable to each such portion; and

(2) submits a proposed, publicly filed version of Exhibit B with narrowly tailored redactions limited to those portions for which compelling reasons are shown.

Nothing in this Order forecloses the parties from proposing redactions to personal identifiers or genuinely confidential medical information not previously made public.

Lastly, the Court strongly encourages the Government and counsel for Defendant Sulla to meet and confer with counsel for Objector Public First Law Center prior to submitting any renewed motion. The Court believes such discussions would be both productive and consistent with all counsel's obligations under Federal Rule of Criminal Procedure 2 ("These rules are to be interpreted to provide for the just determination of every criminal proceeding, to secure simplicity in procedure and fairness in administration, and to eliminate unjustifiable expense and delay").

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, May 12, 2026.



A handwritten signature in black ink, appearing to read "K. Mansfield".

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Kenneth J. Mansfield  
United States Magistrate Judge

*United States v. Sulla*, CR. NO. 22-00058-01 JAO-KJM; Order Denying Government's Motion to File Under Seal Exhibit B to the United States' Response in Opposition to Sulla's Motion for Bail Pending Appeal