

8/13/2025
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Clerk, US District Court
By: LHC

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

PROCEDURES FOR THE
FILING OF SEALED DOCUMENTS

STANDING ORDER NO. 41

In response to recent cyberattacks directed at public and private sector computer systems, including attacks directed at the judiciary and the CM/ECF system, good cause exists to modify the procedures used in this district for the filing of sealed documents. *See* Fed. R. Civ. P. 5(d)(3)(A); Fed. R. Crim. P. 49(b)(3)(A). This Standing Order does not change the criteria that permit a document to be filed under seal. *See* M.D.N.C. L. Civ. R. 5.4. Instead, it changes the procedures for how sealed documents are to be filed and where those documents are stored by the Clerk of Court.

Now, therefore, it is **HEREBY ORDERED** that, effective Wednesday, August 20, 2025, and continuing until such time as the Court may order otherwise, all sealed documents **SHALL** be filed in paper form only. The Clerk of Court will maintain sealed documents outside the CM/ECF system.

It is **FURTHER ORDERED** that parties filing sealed documents or documents subject to a motion to seal **SHALL** continue to e-file sealed events, but the ability to upload documents to those events will be deactivated as of the implementation date. After docketing the appropriate sealed event, attorneys must print the resulting notice of electronic filing (“NEF”) and attach the NEF to the printed documents that are then submitted in paper form to the Clerk’s Office. If the document being filed requires a

signature (e.g., a motion), an original, not electronic or “/s/”, must be used. The Clerk’s Office will provide further administrative guidance to attorneys and *pro se* litigants to assist them during the transition.

It is **FURTHER ORDERED** that parties **SHALL** serve sealed documents on other parties by any manner specified in Federal Rule of Civil Procedure 5(b)(2) (except the provision related to a court’s electronic-filing system) for civil cases and Federal Rule of Criminal Procedure Rule 49(a)(3)(B) or (a)(4) for criminal cases. If the Court issues an Order under seal, it will be maintained outside of the CM/ECF system and sent to the parties by mail.

It is **FURTHER ORDERED** that to the extent provisions of Orders entered in individual cases under Local Civil Rule 5.5 conflict with this Standing Order, those provisions are **SUSPENDED** until further notice.

It is **FURTHER ORDERED** that the provisions in Local Criminal Rule 32.2 that require the filing of certain sealed sentencing-related documents in CM/ECF are **SUSPENDED** until further notice, as follows. Draft presentence investigation reports and objections thereto **SHALL** be exchanged among the parties only but not filed in paper form with the Clerk. Otherwise, the provisions of Local Criminal Rule 32.2 remain in effect. Position papers, the final presentence investigation report, and sentencing memoranda **SHALL** continue to be filed under seal, just not in CM/ECF. The Probation Office **SHALL** file final presentence investigation reports in a mechanism directed by the Clerk.

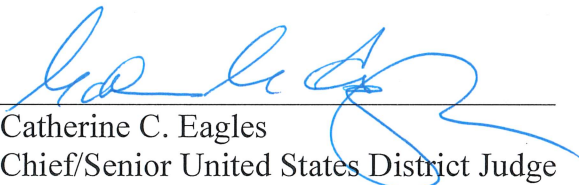
It is **FURTHER ORDERED** that in a supervised release violation matter (including a judicial compliance hearing), the Probation Office **SHALL**, upon request, release the underlying final presentence investigation report and statement of reasons directly to defense counsel who is appointed or retained on the violation.

It is **FURTHER ORDERED** that Standing Order 17 is modified in that medical records in connection with compassionate release motions are not to be filed in CM/ECF.

It is **FURTHER ORDERED** that the Clerk of Court is authorized, as necessary and without further direction of the Court, to remove existing sealed documents from the CM/ECF system and to store them appropriately.

This the 13 day of August, 2025.

FOR THE COURT:



Catherine C. Eagles
Chief/Senior United States District Judge