



White v. Johnson et al

2024 | Cited 0 times | D. Nevada | March 12, 2024

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA Toney Anthony White, III,

Petitioner v. Calvin Johnson,

Respondents

Case No.: 2:21-cv-01114-APG-VCF

Order Granting Petitioner's

Motion to Seal [ECF No. 29]

Petitioner Toney Anthony White, III, seeks leave to file under seal Exhibits 22-36 in support of his first amended petition. ECF No. 29. The exhibits contain medical information related to White as well as personal identifying information of White's siblings. The need to protect medical privacy generally qualifies as a "compelling reason" for sealing records. E.g. *Abbey v. Hawaii Emp'rs Mut. Ins. Co. (HEMIC)*, 760 F. Supp. 2d 1005, 1013 (D. Haw. 2010); see also Nev. Rev. Stat. § 433A.715(1) (requiring courts to seal records related to mental health treatment). Here, the exhibits contain White's sensitive health information, including his medical history, psychological evaluations, physician's orders, and progress notes.

Having reviewed and considered the matter in accordance with *Kamakana v. City and County of Honolulu*, 447 F.3d 1172 (9th Cir. 2006), and its progeny, I find that a compelling need to protect White's safety, privacy, and/or personal identifying information outweighs the public interest in open access to court records.

I THEREFORE ORDER that White's motion to seal (ECF No. 29) is granted. DATED this 12th day of March, 2024.

ANDREW P. GORDON UNITED STATES DISTRICT JUDGE

