

IN THE CIRCUIT/COUNTY COURT OF THE SEVENTH JUDICIAL CIRCUIT
IN AND FOR VOLUSIA COUNTY, FLORIDA

Rosemary Martinez
Plaintiff(s),

v.

Case No. 2019 10222 FMO
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Patrick J Ray II
Defendant(s).

Filed in Open Court
Seventh Judicial Circuit
Volusia County, Florida
FEB 08 2019

**ORDER GRANTING/DENYING MOTION TO DETERMINE
CONFIDENTIALITY OF COURT RECORDS
IN ACCORDANCE WITH RULE OF JUDICIAL ADMINISTRATION 2.420(c)(9)**

THIS MATTER is before the Court on a Motion to Determine Confidentiality of Court Records filed by _____ pursuant to Florida Rule of Judicial Administration 2.420(c)(9) for an order determining the confidentiality of the following information relative to this case: [select all that apply] Order of Protection Putnam County
Case no. 17-386-FD Division 54

particular information within a document, specifically:

Plaintiff and minor childrens address

particular documents within the court file, specifically:

address of plaintiff and minor children

the entire court file, but not the progress docket

the entire court file and the progress docket

the party's name on the progress docket.

Affected non-parties were notified of this Motion.

This motion was/was not contested and a hearing was/was not conducted [if conducted, include date].

Having considered the arguments of the parties, legal authority, and otherwise being fully advised, the Court **DENIES** the motion because the moving party has failed to establish that confidentiality of the information sought to be sealed is necessary to protect any interest under Rule 2.420(c)(9).

-- OR --

Having considered the arguments of the parties, legal authority, and otherwise being fully advised, the Court **GRANTS** the motion as follows:

1. Confidentiality of the information is required in accordance with Rule of Judicial Administration 2.420(c)(9) to protect the following interest(s): [select all that apply]

- a. Preventing a serious and imminent threat to the fair, impartial, and orderly administration of justice, specifically: domestic violence to Petitioner and the minor children
- b. A trade secret.
- c. A compelling government interest, specifically _____.
- d. Obtaining evidence to determine the legal issues in a case;
- e. Avoiding substantial injury to innocent third parties, specifically physical harm
- f. Avoiding substantial injury to a party by the disclosure of matters protected by a common law or privacy right not generally inherent in this type of proceeding, specifically _____.
- g. Complying with established public policy set forth in the Florida or U.S. Constitution or statutes or Florida rules or case law, specifically: _____.

2. The Court further finds that no less restrictive measure is available to protect this/these interest(s), and that the degree, duration and manner of confidentiality ordered herein are no broader than necessary to protect the interest(s).

Wherefore, it is hereby **ORDERED** that:

The Clerk of the Circuit Court is hereby directed to treat as confidential immediately the following materials related to this matter and to keep such materials from public access: [select all that apply]

- 1. The following information contained within _____ [specify pleading]: _____ [specify information].
- 2. The following documents within the court file: All documents with Plaintiff's address or children's address. However, the file and progress docket shall otherwise remain available to the public subject to any substitution of a party's name set forth above.
- 3. The entire court file. However, the progress docket shall remain open to the public subject to any substitution of a party's name set forth above.
- 4. The entire court file and the progress docket. The progress docket shall not be available on any public information system. However, the case number shall remain public.

____ 5. The party's name on the progress docket. On the public progress docket, the Clerk of the Circuit Court shall substitute the following for the party's name: _____
_____. Further, the Clerk shall ensure that the party's name is redacted from _____ (list documents) and that the final judgment is recorded in a manner that does not reveal the identity of the party. However, the progress docket and the file shall otherwise remain available to the public.

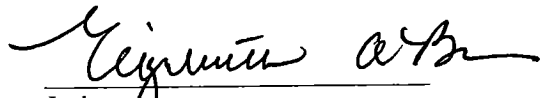
It is further **ORDERED** that any materials determined to be confidential pursuant to this Order may otherwise be disclosed only as follows:

1. to any judge of this Circuit for case-related reasons;
2. to the Chief Judge or his or her designee;
3. to an authorized government agency;
4. to the following specific individuals: _____; or
5. by further order of the Court.

It is further **ORDERED** that, within 10 days of the date of this Order, the Clerk shall post a copy of this Order on the bulletin board of [*specify courthouse at which order is being signed*] and the Clerk's website for a period of 30 days to provide public notice.

It is further **ORDERED** that the Clerk is hereby authorized to open any materials determined to be confidential pursuant to this Order for the purpose of filing, microfilming or imaging files, or transmitting a record to an appellate tribunal. The materials shall be treated as confidential immediately upon completion of the filing.

February **DONE AND ORDERED** in Chambers, at [*Courthouse Location*], this 8th day of
February, 2019.



Judge

Copies to: