

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI**

**Amended Standing Order Governing Filing and Sealing
of Plea Agreements in Criminal Cases**

This court's official case files are now and have been since 2005 electronic compilations, readily available to the public via the federal judiciary's Public Access to Court Electronic Records (PACER) system. Although the Judicial Conference Policy on Privacy and Public Access to Electronic Criminal Case Files provides that public access should not be provided to sealed documents, such as motions for downward departure for substantial assistance or plea agreements indicating cooperation with the government, and although proposed plea agreements submitted for filing by the United States of America are sealed as a matter of course, the court finds that the standing order of September 30, 2005, should be amended to accommodate the needs of the court and the public.

The court has found and remains convinced that release of the information that the pleading defendant agrees to cooperate with the United States in its investigations and prosecutions of other criminal defendants often unnecessarily endangers not only such investigations, but the defendant, the defendant's family, and others in privity with the defendant.

For these reasons, the court finds that, to balance the public's right of access to court file information and defendants' reasonable expectations of safety when entering pleas of guilty, it is in the public interest that plea agreements be sealed, and it is therefore:

ORDERED

Effective immediately, in all criminal cases in which the parties execute a written plea agreement, the United States shall continue to file the plea agreement only under seal, and no such agreement shall be filed except under seal subject to the provisions below.

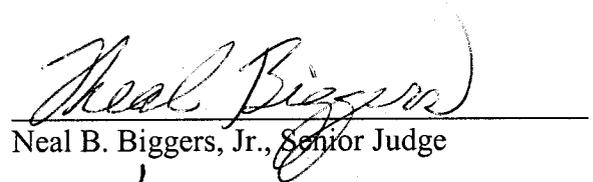
At the time of the filing of a plea agreement a copy of same shall be provided to the United States Probation Service for use in the performance of their duties and made available to the U. S. Attorney's Office, the defendant, his counsel, the presiding judge and his courtroom deputy.

Subsequent to the entry of a plea pursuant to a proposed plea agreement, said plea agreement shall be a matter of public record unless a separate motion to seal is made by either party and granted by the Court, or sealed *sua sponte*.

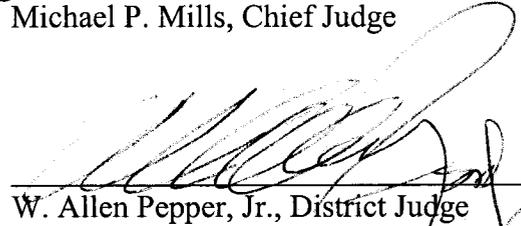
This, the 2nd day of November, 2007.



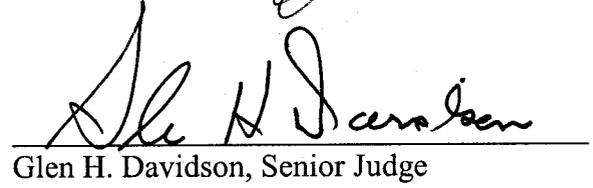
Michael P. Mills, Chief Judge



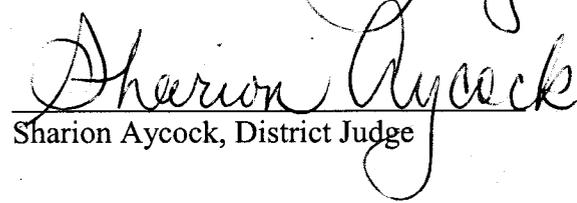
Neal B. Biggers, Jr., Senior Judge



W. Allen Pepper, Jr., District Judge



Glen H. Davidson, Senior Judge



Sharion Aycock, District Judge