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IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

STATE OF IDAHO,)	
)	
Plaintiff,)	Case No. CR01-21-34839
)	
vs.)	
)	MOTION TO SEAL RECORD
AARON ANSON VON EHLINGER,)	PURSUANT TO IDAHO
)	COURT ADMINISTRATIVE
Defendant.)	RULE 32
_____)	

COMES NOW, Katelyn M. Farley, Deputy Prosecuting Attorney for the County of Ada, State of Idaho, and moves this Court, pursuant to Idaho Court Administrative Rule 32, to seal the following: All subpoenas issued by State and Defense for the jury trial which occurred April 26, 2022 through April 29, 2022 including any attachments thereto; any hearings or proceedings related to this Motion; and, any related filings and/or court orders regarding this Motion.

The State’s Motion to Seal the Record is based upon the sensitive nature of all subpoenas issued by State and Defense for the jury trial which occurred April 26, 2022 through April 29, 2022 and its attachments.

Idaho Court Administrative Rule 32 governs the release, exemption from release and limitations upon release of judicial records. Specifically, I.C.A.R. 32 exempts certain records from public disclosure. Records of the type the State is requesting be sealed are specifically among those records that are exempt from public disclosure. *See* I.C.A.R. 32(i).

Idaho Administrative Court Rule 32(i) outlines the procedure for sealing court records:

In ruling on whether specific records should be disclosed, redacted or sealed by order of the court, the court shall determine and make a finding of fact as to whether the interest in privacy or public disclosure predominates. If the court redacts or seals records to protect predominating privacy interests, it must fashion the least restrictive exception from disclosure consistent with privacy interests. Before a court may enter an order redacting or sealing records, it must also make one or more of the following determinations in writing:

- (1) That the documents or materials contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person, or
- (2) That the documents or materials contain facts or statements that the court finds might be libelous, or
- (3) That the documents or materials contain facts or statements, the dissemination or publication of which would reasonably result in economic or financial loss or harm to a person having an interest in the documents or materials, or compromise the security of personnel, records or public property of or used by the judicial department, or
- (4) That the documents or materials contain facts or statements that might threaten or endanger the life or safety of individuals, or
- (5) That it is necessary to temporarily seal or redact the documents or materials to preserve the right to a fair trial.

I.C.A.R. 32(i).

Given the confidential nature of the information in the State's Motion and the attached documents and media, the State asks this Court to make the factual findings as follows:

- (1) The interests in privacy are predominant over the public's interest in disclosure.

- (2) Sealing the documents and proceedings outlined above is the least restrictive measure consistent with the privacy interests at issue and with preserving the integrity of the criminal case.
- (3) That the documents or materials contain highly intimate facts or statements, the publication of which would be highly objectionable to a reasonable person.
- (4) That the documents or materials contain facts or statements that the court finds might be libelous.
- (5) That the documents or materials contain facts or statements, the dissemination or publication of which would reasonably result in economic or financial loss or harm to a person having an interest in the documents or materials, or compromise the security of personnel, records or public property of or used by the judicial department.

Accordingly, the filings in this matter as well as related hearings and related documents are confidential, should remain confidential and are exempt from public disclosure. The State respectfully requests this Court to order that the following be sealed: All subpoenas issued by State and Defense for the jury trial which occurred April 26, 2022 through April 29, 2022 including any attachments thereto; any hearings or proceedings related to this Motion; and, any related filings and/or court orders regarding this Motion.

DATED 5/2/2022.

JAN M. BENNETTS
Ada County Prosecuting Attorney



By: Katelyn M. Farley
Deputy Prosecuting Attorney

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 2, 2022, I caused to be served, a true and correct copy of the foregoing Motion to Seal upon the individual(s) named below in the manner noted: Jon R. Cox, PO Box 1828 Boise ID 83701

- By depositing copies of the same in the United States mail, postage prepaid, first class.
- By depositing copies of the same in the Interdepartmental Mail.
- By informing the office of said individual(s) that said copies were available for pickup at the Office of the Ada County Prosecutor.
- By faxing copies of the same to said attorney(s) at the facsimile number: _____
- By e-mailing copies of the same to _____
- By hand delivering copies of the same to defense counsel.
- By serving copies of the same via iCourt e-File and Serve.

Jamille Ruben

Legal Assistant