UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT ALAN SOLOWAY,

Defendant.

NO. CR07-187MJP

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Marsha J. Pechman, United States District Judge:

Defendant has filed a motion to seal search warrant applications and returns and to seal his memorandum in support of the motion to seal. (Dkt. No. 18.) On the record before the Court, it is not clear whether Defendant has complied with Local Criminal Rule 53(d), which provides as follows:

> Nothing in this rule or any other criminal rule of this court is intended to restrict the media's right to full pretrial coverage of news pursuant to the First Amendment to the United States Constitution. To assure this right, notice of presentation to the court of any motion for an order affecting the news media's right to full pretrial coverage of pending or impending criminal proceedings must be served by movant upon designated representatives of the principal public media at least twenty-four hours prior to presentation. The designated representative or representatives shall have the right to be heard by the court, in open court, at the time the motion is presented.

See also In re Search Warrant for Northwest Enviroservices, Inc., 736 F. Supp. 238, 239 (W.D. Wash. 1989) (holding that former Local Criminal Rule 53(e) permits members of principal public media to be heard on a motion to seal).

Within three judicial days of the date of this Minute Order, Defendant is directed to file proof that he complied with the provisions of Local Criminal Rule 53(d). If Defendant has not yet complied with this rule, he may either: (1) correct this omission by serving notice of his motion to seal on designated representatives of the principal public media; or (2) withdraw his motion. Defendant shall notify the Court which option he intends to pursue by August 30, 2007. If Defendant chooses the first option, he must file proof of service with the Court and must inform the designated representatives of the media that they shall have seven calendar days after service of the motion to file and serve a response.

Date: August 23, 2007

BRUCE RIFKIN, Clerk

By /s/ Mary Duett
Deputy Clerk