

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	CAUSE NO. 1:10-cr-0061-SEB-KPF
v.	)	1:12-cr-0013-SEB-KPF
	)	
DANIEL A. KRUK,	)	
	)	
Defendant.	)	

**EMERGENCY MOTION TO SEAL DEFENDANT'S MOTION TO COMPEL  
PRODUCTION OF *BRADY* MATERIALS**

The United States of America, by counsel, Joseph H. Hogsett, United States Attorney for the Southern District of Indiana and by Sharon M. Jackson, Assistant United States Attorney, respectfully requests an emergency Order sealing the Defendant's Motion to Compel Production of Brady Materials, all attachments to the Motion, and the Memorandum in Support of Defendant's Motion to Compel Production of *Brady* Material filed by the defendant on March 27, 2012 in the above two causes (Dockets 45 and 46 in 1:10-cr-0061-SEB-KPF, and Dockets 22 and 23 in 1:12-cr-0013-SEB-KPF).

The above referenced pleadings should be sealed as they contain law enforcement sensitive materials, pleadings that were filed under seal and that remain under seal, and other materials for which there is a law enforcement need to remain confidential.

The United States additionally requests that the Court order counsel for the defendant to file under seal any future pleadings that contain law enforcement sensitive or non-public, sealed information and pleadings.

WHEREFORE, the United States respectfully requests that the Court grant its motion to seal, order similar future pleadings be filed under seal, and for all other relief that the Court believes is just and proper.

Respectfully submitted,  
JOSEPH H. HOGSETT  
United States Attorney

By: s:/Sharon M. Jackson  
Sharon M. Jackson  
Assistant United States Attorney

**CERTIFICATE OF SERVICE**

I hereby certify that on March 28, 2012, a copy of the foregoing *Emergency Motion to Seal Defendant's Motion to Compel Production of Brady Materials* was filed electronically and sent to the following counsel of record:

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 v. ) 1:12-cr-0013-SEB-KPF  
 )  
 DANIEL A. KRUK, )  
 )  
 Defendant. )

**ORDER**

This matter comes before the Court on the motion of the United States of America for an emergency order to seal the Defendant's Motion to Compel Production of *Brady* Materials, the attachments to the Motion, and the Memorandum in Support of Defendant's Motion to Compel Production of *Brady* Materials (Dockets 45 and 46 in 1:10-cr-0061-SEB-KPF, and Dockets 22 and 23 in 1:12-cr-0013-SEB-KPF).

The Court, having reviewed the motion now finds that the pleadings filed by the defendant contain information that is law enforcement sensitive, discusses other information that is not public and should not become public, and contains therein pleadings that are under seal. Therefore, defendant's motion, attachments and memorandum should have been filed under seal with the Court.

Therefore, the Court now ORDERS that the Defendant's pleadings, Motion to Compel Production of *Brady* Materials, the attachments to the Motion, and the

Memorandum in Support of Defendant's Motion to Compel Production of *Brady* Materials (Dockets 45 and 46 in 1:10-cr-0061-SEB-KPF, and Dockets 22 and 23 in 1:12-cr-0013-SEB-KPF) are sealed and shall remain sealed until further order of the Court.

The Court further ORDERS that any other pleadings filed that pertain to sensitive law enforcement matters, contain confidential information, or include other non-public, sealed pleadings be filed under seal with the Court.

Date: \_\_\_\_\_

\_\_\_\_\_  
SARAH EVANS BARKER, Judge  
United States District Court  
Southern District of Indiana

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