

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
PATRICK SLAVIN,  
  
Defendant.

CASE NO. 2:17-CR-00115-TLN  
  
**ORDER TO UNSEAL TRANSCRIPTS**

The United States moves for an order unsealing the transcripts of the evidentiary hearing that occurred before this Court on January 11–13, 2021. In support of its motion, the United States provides the following:

1. On January 11-13, 2021, pursuant to *Sell v. United States*, 539 U.S. 166 (2003), this Court held an evidentiary hearing regarding the government’s motion for an order authorizing the involuntary administration of medication to defendant in order to restore his competency to stand trial (“*Sell* Hearing”). (ECF Nos. 54, 55, and 57.)
2. Pursuant to a stipulation of the parties, this Court ordered the *Sell* Hearing sealed, until further order of the Court. (ECF No. 53.)
3. Following the *Sell* Hearing, the parties submitted briefing on whether the government met its burden to obtain an order authorizing the involuntary administration of medication to defendant in order to restore his competency to stand trial. (ECF Nos. 72, 73, and 74.)
4. On April 23, 2021, this Court entered an order granting the government’s motion. (ECF

No. 75.)

5. On April 23, 2021, Defendant filed a notice of appeal from this Court's order. (ECF No. 76.) Defendant's appeal was processed on April 26, 2021. (ECF No. 79.)

6. On April 23, 2021, Defendant filed a motion for a stay of execution of this Court's order, pending interlocutory appeal, which the United States did not oppose. (ECF Nos. 77, 78.)

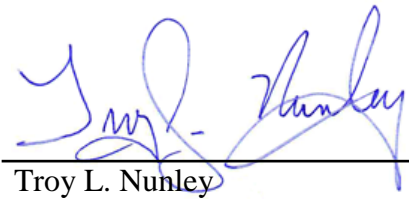
7. On April 26, 2021, this Court entered an order granting Defendant's motion for a stay of execution of the Court's order. (ECF No. 80.)

8. Given the public's right of access to court proceedings, the United States requests that this Court order the transcripts of the *Sell* Hearing unsealed. *See Oregonian Publ'g Co. v. U.S. Dist. Court for the Dist. of Oregon*, 920 F.2d 1462, 1465 (9th Cir. 1990) ("Under the first amendment, the press and the public have a presumed right of access to court proceedings and documents.").

9. The United States conferred with Defendant's counsel before filing this motion. Defendant's counsel does not object to the relief requested.

Having received and considered the Government's motion, and good cause having been shown, IT IS HEREBY ORDERED that the transcripts of the *Sell* Hearing that occurred on January 11–13, 2021, be, and are, hereby ordered unsealed.

DATED: June 29, 2021

  
Troy L. Nunley  
United States District Judge