

General Docket
United States Court of Appeals for the Fourth Circuit

Court of Appeals Docket #: 13-4625 **Docketed:** 08/29/2013
 In re: Under Seal
Appeal From: United States District Court for the Eastern District of Virginia at Alexandria
Fee Status: fee paid

Case Type Information:

- 1) Grand Jury Proceeding
- 2) Interlocutory
- 3) null

Originating Court Information:**District:** 0422-1 : [1:13-sw-00522-CMH-1](#)**Presiding Judge:** Claude M. Hilton, Senior U. S. District Court Judge**Date Filed:** 07/16/2013**Date Order/Judgment:**

08/05/2013

08/01/2013

Date Order/Judgment EOD:

08/16/2013

08/16/2013

Date NOA Filed:

08/16/2013

Date Rec'd COA:

08/28/2013

District: 0422-1 : [1:13-dm-00022-CMH-1](#)**Presiding Judge:** Claude M. Hilton, Senior U. S. District Court Judge**Date Filed:** 07/16/2013**Date Order/Judgment:**

08/05/2013

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Date Order/Judgment EOD:

08/16/2013

08/16/2013

Date NOA Filed:

08/16/2013

Date Rec'd COA:

08/28/2013

Prior Cases:

None

Current Cases:

| | Lead | Member | Start | End |
|--------------|---------|-------------------------|------------|-----|
| Consolidated | 13-4625 | 13-4626 | 08/29/2013 | |

In re: UNDER SEAL

UNITED STATES OF AMERICA
 Plaintiff - Appellee

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v.

UNDER SEAL
 Party-in-Interest - Appellant

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UNDER SEAL 2
Party-in-Interest - Appellant

Jesse Ryan Binnall
[COR NTC Retained]
(see above)

Marcia C. Hofmann
[COR NTC Retained]
(see above)

Laurin Howard Mills
[COR NTC Retained]
(see above)

Ian James Samuel
[COR NTC Retained]
(see above)

David Alan Warrington
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[On Brief]
(see above)

In re: UNDER SEAL


UNITED STATES OF AMERICA


Plaintiff - Appellee

v.

UNDER SEAL 1; UNDER SEAL 2

Parties-in-Interest - Appellants

| | | |
|------------|--|--|
| 08/29/2013 | <input type="checkbox"/> 1 | Case docketed. Originating case number: 1:13-sw-00522-CMH-1. Case manager: RWarren. [13-4625] (RW) 2 pg, 12.72 KB |
| 08/29/2013 | <input type="checkbox"/> 2 | ORDER filed [999183226] consolidating case 13-4626 with 13-4625. Copies to all parties.. [13-4625, 13-4626] (RW) 2 pg, 9.13 KB |
| 08/29/2013 | <input type="checkbox"/> 3 | DOCKETING NOTICE issued Re: [1] case docketed , [999183217-2] case docketed Initial forms due within 14 days. Originating case number: 1:13-sw-00522-CMH-1,1:13-dm-00022-CMH-1.. [13-4625, 13-4626] (RW) 12 pg, 46.24 KB |
| 08/29/2013 | <input type="checkbox"/> 4 | ORDER filed [999183250] sealing district court case opening documents. Copies to all parties. [13-4625, 13-4626] (RW) 9 pg, 26.93 KB |
| 08/29/2013 | <input type="checkbox"/> 5 | BRIEFING ORDER filed.. Opening brief and appendix due 10/03/2013. Response brief due 10/28/2013 [13-4625, 13-4626] (RW) 2 pg, 18.12 KB |
| 09/12/2013 | <input type="checkbox"/> 6  | --DOCKET ENTRY STRUCK--SEALED DOCUMENT by Under Seal in 13-4625, 13-4626. Document type: OTHER DOCUMENT. Date and manner of service: 09/12/2013 US mail. Filed Ex parte: N. [999192700] [13-4625, 13-4626]--[Edited 09/13/2013 by RW] Jesse Binnall 0 pg, 0 KB |
| 09/12/2013 | <input type="checkbox"/> 7 | SEALED DOCUMENT by Under Seal in 13-4625, 13-4626. Document type: DOCKETING STATEMENT. Date and manner of service: 09/12/2013 US mail. Filed Ex parte: N. [999192703] [13-4625, 13-4626]--[Edited 09/13/2013 by RW] Jesse Binnall |
| 09/13/2013 | <input type="checkbox"/> 8 | APPEARANCE OF COUNSEL (Local Rule 46(c)) by Jesse R. Binnall for Under Seal in 13-4625, 13-4626.[999192969] [13-4625, 13-4626] Jesse Binnall 1 pg, 78.53 KB |
| 09/13/2013 | <input type="checkbox"/> 9 | DOCKETING STATEMENT by Appellant Under Seal. [13-4625] Jesse Binnall 3 pg, 188.71 KB |
| 09/13/2013 | <input type="checkbox"/> 10 | APPEARANCE OF COUNSEL (Local Rule 46(c)) by James L. Trump for US in 13-4625, 13-4626. [999193476] [13-4625, 13-4626] James Trump 1 pg, 94.69 KB |
| 09/13/2013 | <input type="checkbox"/> 11 | APPEARANCE OF COUNSEL (Local Rule 46(c)) by Michael P. Ben'Ary for US in 13-4625, 13-4626. [999193530] [13-4625, 13-4626] Michael Ben'Ary 1 pg, 48.04 KB |
| 09/24/2013 | <input type="checkbox"/> 12 | MOTION by Appellant Under Seal in 13-4625, 13-4626 to unseal portion of record., to extend filing time for Amicus Curiae Briefs until 10/31/2013. Date and method of service: 09/24/2013 US mail, ecf. [999200859] [13-4625, 13-4626] Jesse Binnall 6 pg, 239.75 KB |
| 09/25/2013 | <input type="checkbox"/> 13 | NOTICE ISSUED to Mr. Michael Phillip Ben'Ary for US and Mr. James L. Trump for US in 13-4625 requesting response to Motion to unseal [12] , Motion to extend filing time for amicus curiae briefs [12] Response due: 10/02/2013.[999201188].. [13-4625, 13-4626] (RW) 1 pg, 8.88 KB |
| 09/27/2013 | <input type="checkbox"/> 14 | SEALED DOCUMENT by US in 13-4625, 13-4626. Document type: RESPONSE. Date and manner of service: 09/27/2013 US mail. Filed Ex parte: N. [999203761] [13-4625, 13-4626] James Trump |
| 09/27/2013 | <input type="checkbox"/> 15 | CERTIFICATE OF CONFIDENTIALITY (Local Rule 25(c)) by US in 13-4625, 13-4626. Sealing Required: Yes. Description of document referenced by certificate: Sealed Document by US filed 09/27/2013. [13-4625, 13-4626] James Trump 4 pg, 52.39 KB |
| 10/02/2013 | <input type="checkbox"/> 16 | APPEARANCE OF COUNSEL (Local Rule 46(c)) by Marcia Hofmann for Under Seal in 13-4625, 13-4626.[999207037] [13-4625, 13-4626] Marcia Hofmann 1 pg, 70.08 KB |
| 10/02/2013 | <input type="checkbox"/> 17 | SEALED DOCUMENT by Under Seal in 13-4625, 13-4626. Document type: MOTION to extend filing time for opening brief and appendix until 10/10/2013. Date and manner of service: 10/02/2013 ecf, US mail. Filed Ex parte: N. [999207395] [13-4625, 13-4626] Jesse Binnall |
| 10/02/2013 | <input type="checkbox"/> 18 | CERTIFICATE OF CONFIDENTIALITY (Local Rule 25(c)) by Under Seal in 13-4625, 13-4626. Sealing Required: Yes. Description of document referenced by certificate: Motion to Extend Time. [13-4625, 13-4626] Jesse Binnall 1 pg, 60.9 KB |
| 10/02/2013 | <input type="checkbox"/> 19 | MOTION by Appellant Under Seal in 13-4625, 13-4626 to extend filing time for opening brief and appendix until 10/10/2013. Date and method of service: 10/02/2013 ecf, US mail. [999207401] [13-4625, 13-4626] Jesse Binnall 3 pg, 95.87 KB |
| 10/02/2013 | <input type="checkbox"/> 20 | ORDER filed [999207481] granting Motion to extend filing time [19] , updating briefing order deadlines. Opening brief and appendix due 10/10/2013. Response brief due 11/04/2013. Copies to all parties.. [13-4625, 13-4626] (RW) 2 pg, 9.1 KB |
| 10/03/2013 | <input type="checkbox"/> 21 | RESPONSE/ANSWER by US in 13-4625, 13-4626 to notice requesting response [13] . Nature of response: in opposition. [13-4625, 13-4626] James Trump 5 pg, 180.44 KB |

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| 10/07/2013 | <input type="checkbox"/> 22 | APPEARANCE OF COUNSEL (Local Rule 46(c)) by Ian Samuel for Under Seal in 13-4625, 13-4626. [999209890] [13-4625, 13-4626] Jesse Binnall |
| 10/09/2013 | <input type="checkbox"/> 23 | COURT ORDER filed [999214882] denying Motion to unseal [12] ; granting Motion to extend filing time [12] Copies to all parties., updating briefing order deadlines. Response brief due 11/12/2013 Copies to all parties. [13-4625, 13-4626] (RW) |
| 10/10/2013 | <input type="checkbox"/> 24 | SEALED BRIEF by Appellant Under Seal in 13-4625, 13-4626 in electronic and paper format. Type of Brief: Opening. Method of Filing Paper Copies: hand delivery. Date Copies Mailed, Dispatched, or Delivered to court: 10/10/2013.. Filed Ex parte: N. [13-4625, 13-4626] Jesse Binnall |
| 10/10/2013 | <input type="checkbox"/> 25 | CERTIFICATE OF CONFIDENTIALITY (Local Rule 25(c)) by Under Seal in 13-4625, 13-4626. Sealing Required: Yes. Description of document referenced by certificate: Brief of Appellant. [13-4625, 13-4626] Jesse Binnall |
| 10/10/2013 | <input type="checkbox"/> 26 | BRIEF by Appellant Under Seal in 13-4625, 13-4626 in electronic and paper format. Type of Brief: Opening. Method of Filing Paper Copies: hand delivery. Date Paper Copies Mailed, Dispatched, or Delivered to Court: 10/10/2013. [999216727] [13-4625, 13-4626] Jesse Binnall |
| 10/10/2013 | <input type="checkbox"/> 27  | FULL ELECTRONIC APPENDIX and full paper appendix by Appellant Under Seal in 13-4625, 13-4626. Method of Filing Paper Copies: hand delivery. Date paper copies mailed dispatched or delivered to court: 10/10/2011. Has district court 90-day restriction expired for all transcripts included in appendix? No. The electronic appendix is initially restricted to case participants only. Case participants must be logged into CM/ECF to view the appendix prior to public release. Appendices in Immigration and Social Security cases will remain restricted.[999216730] [13-4625, 13-4626] Jesse Binnall |
| 10/10/2013 | <input type="checkbox"/> 28 | SEALED APPENDIX VOLUME(S) by Appellant Under Seal in 13-4625, Appellee US in 13-4626 in electronic and paper format. Method of Filing Paper Copies: hand delivery. Date Copies Mailed, Dispatched, or Delivered to court: 10/10/2013.. Filed Ex parte: N. [13-4625, 13-4626] Jesse Binnall |
| 10/10/2013 | <input type="checkbox"/> 29 | CERTIFICATE OF CONFIDENTIALITY (Local Rule 25(c)) by Under Seal in 13-4625, 13-4626. Sealing Required: Yes. Description of document referenced by certificate: JA Vol II of II. [13-4625, 13-4626] Jesse Binnall |
| 10/10/2013 | <input type="checkbox"/> 31 | Redacted OPENING BRIEF (PAPER) file-stamped, on behalf of Under Seal and Under Seal 2 in 13-4625, 13-4626. Number of pages: [43]. Sufficient: YES. Entered on Docket Date: 10/17/2013. [999220605] [13-4625, 13-4626] (RW) |
| 10/10/2013 | <input type="checkbox"/> 32 | SEALED BRIEF (PAPER) file-stamped on behalf of Under Seal and Under Seal 2 in 13-4625, 13-4626. Type of Brief: Opening Number of pages: [43]. Entered on Docket Date: 10/17/2013. [999220608] [13-4625, 13-4626] (RW) |
| 10/10/2013 | <input type="checkbox"/> 33 | APPENDIX (PAPER) file-stamped, on behalf of Under Seal and Under Seal 2 in 13-4625, 13-4626. Total number of volumes (including any sealed): 2. Total number of pages in all volumes: 181. Total number of sealed volumes: 1. Sufficient? Yes. CD/DVD/Other exhibit? No. Entered on Docket Date: 10/17/2013. [999220614] [13-4625, 13-4626] (RW) |
| 10/11/2013 | <input type="checkbox"/> 30 | APPEARANCE OF COUNSEL (Local Rule 46(c)) by Laurin H. Mills for Under Seal in 13-4625, 13-4626.[999217020] [13-4625, 13-4626] Laurin Mills |
| 10/17/2013 | <input type="checkbox"/> 34 | ORDER filed [999220678] sealing Joint Appendix Volume Two and Sealed Opening Brief. Copies to all parties.. [13-4625, 13-4626] (RW) |

FILED: October 17, 2013

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-4625 (L)
(1:13-sw-00522-CMH-1)
(1:13-dm-00022-CMH-1)

In re: UNDER SEAL

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

UNDER SEAL 1; UNDER SEAL 2

Parties-in-Interest - Appellants

O R D E R

Upon consideration of the certificate of confidentiality, the court places joint appendix volume two and the unredacted opening under seal.

For the Court--By Direction

/s/ Patricia S. Connor, Clerk