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Attorney for Defendant,
DAVID HE

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

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UNITED STATES OF AMERICA. Plaintiff, v. DAVID HE Defendant.	CASE NO.: 1:23-CR-00219-DAD-BAM **AMENDED** **REQUEST TO FILE EX PARTE MOTION** **UNDER SEAL**

NOTICE IS HEREBY GIVEN that pursuant to Local Rule 141, Local Rules of the United States District Court of the Eastern District of California, Anthony P. Capozzi, as attorney for defendant, David He, has submitted to the Court a Request to Seal Documents, requesting the Court Order Ex Parte Motion for David He to be filed **UNDER SEAL.**

Respectfully submitted,

DATED: September 2, 2025

By: /*s/ Anthony P. Capozzi*
ANTHONY P. CAPOZZI, Attorney for DAVID HE

ORDER

Pursuant to Local Rule 141(b) IT IS HEREBY ORDERED that the Defendant, David He's *Ex Parte* Motion to Withdraw as Attorney of Record and Request to be Appointed Pursuant to 18 U.S.C § 3006A be SEALED until further order of this Court. It is further ordered that access to the sealed documents shall be limited to the government and counsel for the defendant.

The court has considered the factors set forth in Oregonian Publishing Co. V. U.S. District Court for the District of Oregon, 9210 F.2d1462 (9th Cir. 1990). The court finds that, for the reason stated in the defendant's request, sealing the defendant's *ex parte* motion serves a compelling interest. The court further finds that, in the absence of closure, the compelling interest identified by the defendant would be harmed. In the light of the public filing of its requests to seal, the Court further finds that there are no additional alternatives to sealing the defendant's *ex parte* motion that would adequately protect the compelling interest identified by the defendant.

IT IS SO ORDERED.

Dated: **September 8, 2025**

Dale A. Drozd

DALE A. DROZD
UNITED STATES DISTRICT JUDGE