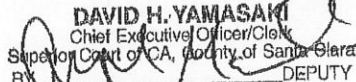


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FILED
AUG - 5 2014

DAVID H. YAMASAKI
Chief Executive Officer/Clerk
Superior Court of CA, County of Santa Clara
BY  DEPUTY
A. Mavrakakis

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA CLARA**

PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff,

v.

ANTOLIN GARCIA-TORRES

Defendant.

Case No. 213515

SEALING ORDER

The court has read and reviewed defendant's Application for Order Sealing Record. The application seeks redaction of the name of a defense expert as well as the nature and scope of the work to be performed by the expert.

The Sixth Amendment of the United States Constitution guarantees a criminal defendant the right to effective assistance of counsel. (*United States v. Cronin* (1984) 466 U.S. 648, 655.) "Effective assistance of counsel includes the assistance of experts in preparing a defense and communication with them in confidence." (*Prince v. Superior Court* (1992) 8 Cal.App.4th 1176, 1180 [citations omitted].)

As the defense has the right to investigate and prepare its case in a confidential manner at the current stage of the proceedings, and this right would be undermined if the identity of the expert as well as the nature and scope of the expert's work be part of the public record, the court finds there exists an overriding interest that overcomes the right of public access to the record, that the overriding interest supports sealing the record, and that a substantial probability exists that the overriding interest will be prejudiced if the record is not sealed. Moreover, the proposed

1 sealing is narrowly tailored as only contents relative to the identity of the expert and to the nature
2 and scope of his/her work are redacted. A redacted copy of the documents to be sealed is
3 attached as Exhibit B to the Application for Order Sealing Record.

4 Accordingly, the Application for Sealing of Record is GRANTED and the following
5 documents, pages, or portions thereof are ordered sealed pending further order of the court:

6 -Declaration of Counsel in Support of Order to Allow Contact Visit Between Expert and
7 Client in the County Jail;and

8 -Order to Allow Contact Visit Between Expert and Client in the County Jail.

9 The Clerk of the Court shall adhere a label prominently on the envelope with the sealed
10 record(s) stating "SEALED BY ORDER OF THE COURT ON AUGUST 5, 2014".


11 An unredacted copy of the signed Order to Allow Contact Visit Between Expert and
12 Client in the County Jail shall be provided to defense counsel.

13 This court order is not ordered sealed and the Clerk of the Court shall attach a copy of
14 this court order to the envelope which contains the sealed records.

15 IT IS SO ORDERED.

16 Dated: August 5, 2014




THANG NGUYEN BARRETT
Supervising Judge
Criminal Division of the Superior Court

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SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA CLARA

FILED
AUG - 5 2014

DAVID H. YAMASAKI
Chief Executive Officer/Clerk
Superior Court of CA, County of Santa Clara
BY *[Signature]* DEPUTY

A. Mavrakakis

PEOPLE OF THE STATE OF CALIFORNIA) No. 213515
)
) Order to Allow Contact
Petitioner,) Visit Between Expert
) and Client in the County
) Jail
vs.)
)
ANTOLIN GARCIA TORRES)
)
Defendant.)

IT IS HEREBY ORDERED that the Santa Clara County Department of Correction and/or the Santa Clara County Sheriff's Department allow the above-named inmate to have a contact visit with [REDACTED] on any and all dates that [REDACTED] may need in order to fully and adequately complete [REDACTED] evaluation and assessment of ANTOLIN GARCIA-TORRES (DZK109).

[Signature] August 5, 2014
Date: ~~July 28~~, 2014



[Signature]

Judge of the Superior Court
THANG NGUYEN BARRETT