

**State Of North Dakota**

**In District Court**

**County Of** \_\_\_\_\_

\_\_\_\_\_ **Judicial District**

The State Of North Dakota, )

Plaintiff, )

)

vs. )

)

\_\_\_\_\_ )

Defendant. )

)

Criminal Case No. \_\_\_\_\_

**Findings Of Fact, Conclusions Of Law, And  
Order On Motion To Prohibit Public Access**

1. The Defendant submitted a Motion to Prohibit Public Access to the electronic records in the above-captioned case under Rule 41, Section 4(a)(7) of the North Dakota Supreme Court Administrative Rules, on \_\_\_\_\_. The State of North Dakota responded to the Motion on \_\_\_\_\_. The Court considered the Motion and decided it on Briefs under Rule 3.2 of the North Dakota Rules of Court.

**Findings of Fact**

2. The Court finds there are sufficient grounds to overcome the presumption of openness of court records in the above-captioned case to allow remote public access to Defendant’s electronic case record to be prohibited.

3. The following specific facts show that public interest in maintaining open remote public access to the electronic case record of the above-captioned case is minimal:

a. \_\_\_\_\_  
\_\_\_\_\_

b. \_\_\_\_\_  
\_\_\_\_\_

c. \_\_\_\_\_

\_\_\_\_\_

d. \_\_\_\_\_

\_\_\_\_\_

e. \_\_\_\_\_

\_\_\_\_\_

f. \_\_\_\_\_

\_\_\_\_\_

4. The following specific facts show that the Defendant has sustained or is likely to sustain the following substantial harms because the electronic case record in the above-captioned case has remained available for remote public access:

a. \_\_\_\_\_

\_\_\_\_\_

b. \_\_\_\_\_

\_\_\_\_\_

c. \_\_\_\_\_

\_\_\_\_\_

d. \_\_\_\_\_

\_\_\_\_\_

e. \_\_\_\_\_

\_\_\_\_\_

### **Conclusions of Law**

5. There is an overriding interest in protecting the Defendant from further harm by prohibiting remote public access to the electronic case record in the above-captioned case.
6. There is a minimal interest in maintaining remote public access to the electronic case record in the above-captioned case.
7. The interest of justice will be served by prohibiting remote public access to the electronic case record in the above-captioned case.

### **Order**

8. Based on the above, the clerk of court is ordered to promptly restrict remote public access to the electronic case record in the above-captioned case.
9. The clerk of court is further ordered to ensure that the search result for these records displays the words "Internet Access Prohibited under N.D.Sup.Ct.Admin.R 41."

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District Judge