

JUL 19 2019

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

AT BALTIMORE  
CLERK, U.S. DISTRICT COURT  
DISTRICT OF MARYLAND  
DEPUTY

BY

UNITED STATES OF AMERICA

Case No. 19 - 2413 ADC

v.

TAMUFOR NCHUMULUH ST. MICHAEL

UNDER SEAL

MOTION TO SEAL

The United States of America, by its undersigned counsel, moves this Honorable Court to order and direct that the criminal complaint and supporting affidavit issued in the above captioned matter, as well as the arrest warrant be SEALED. The United States also moves to seal this Motion and any related Order entered by the Court regarding this motion. In support of this motion the government states as follows:

1. The defendant TAMUFOR NCHUMULUH ST. MICHAEL is presently at large and is unaware of the criminal complaint and warrant for his arrest.

2. Federal agents hope to effectuate his arrest, but he may be aware of a search warrant executed on his residence of July 19, 2019.

3. If he became aware of this complaint and arrest warrant, he may flee to avoid prosecution, or to otherwise jeopardize this criminal investigation.

4. To seal an affidavit for a search warrant, the government must demonstrate that: (1) there is a compelling government interest requiring materials to be kept under seal and (2) there is no less restrictive means, such as redaction, available. In re Search Warrants Issued on April 26, 2004, 353 F.Supp.2d 584 (D. Md. 2004).

5. The procedures for sealing are set forth in Baltimore Sun Co. v. Goetz, 886 F.2d 60 (4th Cir. 1989). "The judicial officer may explicitly adopt the facts that the government presents

to justify the sealing ...." Id. at 65. This motion and the Court's reasons for sealing should also be sealed. Id. Notice of the sealing is required, but the notice requirement is satisfied by the docketing of the order sealing the documents. Id.

WHEREFORE, the government respectfully requests that the affidavit submitted in support of the application for this criminal complaint, the arrest warrant, and other related documents, along with this motion and the Court's reasons for sealing, be sealed until the arrest of the defendant.

Respectfully Submitted,

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