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IN THE CIRCUIT COURT, FOURTH
JUDICIAL CIRCUIT, IN AND FOR CLAY
COUNTY, FLORIDA

CASE NO.: 2020-CA-000064

DIVISION:



Plaintiff,

v.

SHERIFF DARRYL DANIELS, in his capacity
as Sheriff of Clay County, and
ELISEO FAJARDO ADAMS, in his individual
capacity,

Defendants.

_____ /

**ORDER GRANTING PLAINTIFF'S MOTION
TO DETERMINE CONFIDENTIALITY OF COURT RECORDS**

THIS CAUSE having come to be heard upon Plaintiff's Motion To Determine Confidentiality of Court Records, and after review of the Motion, consideration of the arguments made and the law presented, for good cause shown, and the Court being advised in the premises,

IT IS HEREBY ORDERED AND ADJUDGED that Plaintiff's Motion To Determine Confidentiality of Court Records is GRANTED.

It is further:

ADJUDGED that in accordance with Florida Constitution, Article 1, Section 23, and with §92.56 and §119.071(2)(h), Florida Statutes, Plaintiff's name, as well as the details contained within the paragraphs 40, 41, 43, 45, and 46 of Plaintiff's Complaint and Demand for Jury Trial, should be kept confidential and protected. Plaintiff is a victim of a sexual battery whose identity

is not already known in the community nor has it become a reasonable subject of public concern; Plaintiff has not voluntarily called public attention to the offense, and disclosure of victim's identity would be offensive to a reasonable person. *See* Fla. Stat. §92.56(1)(a), (b).

ADJUDGED that disclosure of Plaintiff's identity would endanger Plaintiff, a victim, because of the likelihood of retaliation, harassment, or intimidation, and cause severe emotional and/or mental harm to Plaintiff.

ADJUDGED that this Court finds no less restrictive measure is available to protect these interests, and that the degree, duration, and manner of confidentiality ordered herein are no broader than necessary to protect the interests.

WHEREFORE, it is ORDERED that:

The Clerk of the Circuit Court is hereby directed to seal immediately the following materials related to this matter and to keep such materials from public access:

1. The part's name on the progress docket and in the case style. On the public progress docket, the Clerk of the Circuit Court shall substitute the following for party's name: W. R. S. Further, the Clerk shall ensure that the party's name is redacted from all public materials in the file and that the final judgment is recorded in a manner that does not reveal the identity of the party. However, the progress docket and the file shall otherwise remain available to the public.

2. The following information within the court file: paragraphs 40, 41, 43, 45, and 46 of Plaintiff's Complaint and Demand for Jury Trial. However, the file and the progress docket shall otherwise remain available to the public subject to any substitution of a party's name set forth above.

It is further ORDERED that any materials sealed pursuant to this Order shall be conditionally disclosed upon the entry of a further order by this Court finding that such opening

is necessary for purpose of judicial or governmental accountability or First Amendment rights.


It is further ORDERED that any materials sealed pursuant to this Court may otherwise be disclosed only as follows:

1. To any judge of this Circuit for case-related reasons;
2. To the Chief Judge or his or her designee;
3. To adult parties or their attorneys of record; or
4. By further order of the Court.

It is further ORDERED that, within ten (10) days of this Order, the Clerk shall post a copy of this Order on the bulletin board of the County Clerk's Office and the Clerk's website for a period of thirty (30) days to provide public notice.

It is further ORDERED that the Clerk is hereby authorized to unseal any materials sealed pursuant to this Order for the purpose of filing, microfilming or imaging files, or transmitting a record to an appellate tribunal. The materials shall be resealed immediately upon completion of the filing.

DONE AND ORDERED in Chambers, at Clay County, Florida, on this 28 day of February, 2020.


CIRCUIT COURT JUDGE