

THIS IS A CAPITAL CASE

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

DAMIEN WAYNE ECHOLS,)	Case No. 5:04CV00391-WRW
)	
Petitioner,)	
)	
vs.)	
)	
LARRY NORRIS, Director,)	
Arkansas Department of Corrections,)	
)	
Respondent.)	

**PETITIONER’S MOTION FOR LEAVE TO FILE UNDER SEAL
CERTAIN EXHIBITS PROFFERED IN SUPPORT OF
PETITION FOR A WRIT OF HABEAS CORPUS
BY A PERSON IN STATE CUSTODY**

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DAMIEN WAYNE ECHOLS

Now pending before this Court is petitioner Damien Wayne Echols's Second Amended Petition for Writ of Habeas Corpus. In support of that motion, petitioner has submitted various exhibits, a number of which contain identifying information relating to the jurors who participated in deliberations at petitioner's 1993 capital trial.

In order to protect the privacy rights of these jurors and in accordance with the suggestion of the Clerk's Office, petitioner moves to file these documents under seal and proffers the affidavits and other exhibits containing such identifying information in separate envelopes bearing the designation "filed under seal."

DATED: October 29, 2007

Respectfully submitted,

DENNIS P. RIORDAN
DONALD M. HORGAN
THERESA GIBBONS
DEBORAH R. SALLINGS

By /s/ Dennis P. Riordan
DENNIS P. RIORDAN

By /s/ Donald M. Horgan
DONALD M. HORGAN

Attorneys for Petitioner
DAMIEN WAYNE ECHOLS

PROOF OF SERVICE BY MAIL

Re: Damien Wayne Echols v. Larry Norris, Director No. 04CV00391 WRW

I am a citizen of the United States; my business address is 523 Octavia Street, San Francisco, California 94102. I am employed in the City and County of San Francisco, where this mailing occurs; I am over the age of eighteen years and not a party to the within cause. I served the within:

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on the following person(s) on the date set forth below, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Post Office mail box at San Francisco, California, addressed as follows:

Larry B. Norris, Director
Arkansas Department of Corrections
6814 Princeton Pike
Pine Bluff, AR 71603

Brent Gasper, Esq.
Deputy Arkansas Attorney General
Arkansas Attorney General's Office
323 Center Street, Ste. 200
Little Rock, Arkansas 77201

Brent Davis
Prosecuting Attorney
P.O. Box 491
Jonesboro, AR 72403

[x] BY MAIL: By depositing said envelope, with postage (certified mail, return receipt requested) thereon fully prepaid, in the United States mail in San Francisco, California, addressed to said party(ies);

I certify or declare under penalty of perjury that the foregoing is true and correct. Executed on October 29, 2007 at San Francisco, California.

/s/ Jocilene Yue

Jocilene Yue