

Rene L. Valladares  
Federal Public Defender  
Nevada Bar No. 11479  
Ryan Norwood  
Assistant Federal Public Defender  
New Hampshire State Bar No. 15604  
Ryan\_Norwood@fd.org  
411 E. Bonneville Ave., Ste. 250  
Las Vegas, NV 89101  
(702) 388-6577  
(702) 388-5819 (fax)

Attorney for Dominic J. Pezzola

UNITED STATES DISTRICT COURT  
DISTRICT OF COLUMBIA

United States of America,

Plaintiff,

v.

Dominic J. Pezzola,

Defendant.

Case No. 1:21-cr-00175-TJK

**Unopposed Motion for Access to  
Non-Public Docket and Sealed  
Documents**

Defendant Dominic Pezzola, through counsel, moves this Court for an order permitting the Clerk's office to provide copies of the non-public docket sheet and sealed documents to undersigned counsel and counsel for the government, with the exception of documents filed ex parte. Access is necessary for the parties to assemble and review Mr. Pezzola's record for his direct appeal to the United States Court of Appeals for the District of Columbia. *United States v. Pezzola*, D.C. Cir. No. 23-3160.

Undersigned counsel was appointed to represent Mr. Pezzola on appeal. Access to the non-public docket and sealed documents is necessary for counsel to provide constitutionally adequate representation for Mr. Pezzola and so the parties can accurately provide and cite the record on appeal. *See* Fed. R. App. P. 10(a); *see also, e.g., United States v. Cramer*, No. 1:16-cr-26, 2020 WL 8920386, at \*7 (E.D. Tex. Jan. 30, 2020) (noting grant of unopposed motion to permit inspection and copying of nonpublic docket). Accordingly, undersigned counsel requests the Court order the Clerk's office to provide copies of the non-public docket sheet and sealed documents to undersigned counsel and counsel for the government. A proposed order is attached for the Court's convenience.

The government previously filed a motion to provide access to sealed transcripts to appellate counsel of record. ECF No. 938. The motion sought to authorize defense counsel to receive transcripts from sealed proceedings for the purposes of appeal. The Court issued a minute order granting that motion on March 19, 2024. The instant motion supplements the government's prior motion because it

would authorize counsel to receive copies of the non-public docket and additional sealed filings beyond the sealed transcripts.

Undersigned counsel has contacted counsel for the government, Assistant United States Attorney Erik Kenerson, and the government does not oppose this motion.

Dated this 30<sup>th</sup> day of July, 2024.

Respectfully submitted,

Rene L. Valladares  
Federal Public Defender

/s/ Ryan Norwood  
Ryan Norwood  
Assistant Federal Public Defender

UNITED STATES DISTRICT COURT  
DISTRICT OF COLUMBIA

United States of America,

Plaintiff,

v.

Dominic J. Pezzola,

Defendant.

Case No. 1:21-cr-00175-TJK

**ORDER**

Having considered Defendant's Unopposed Motion for Access to Non-Public Docket and Sealed Documents, the Government's position, and the record in this case, the Court hereby GRANTS the defendant's motion.

It is hereby ORDERED that for the limited purpose of review for appeal, counsel for Mr. Pezzola and for the Government shall be allowed access to the non-public docket sheet and sealed materials in this case, including sealed pleadings that are not ex parte; and

It is further ORDERED that any information contained within the non-public docket sheet and sealed materials in this case, produced pursuant to this Order shall remain SEALED.

So ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

/s/

Hon. Timothy J. Kelly  
District Judge