

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
HUNTINGTON DIVISION**

**JOHN BAXLEY, JR.,
ERIC L. JONES,
SAMUEL STOUT,
AMBER ARNETT,
EARL EDMONDSON,
JOSHUA HALL,
DONNA WELLS-WRIGHT,
ROBERT WATSON,
HEATHER REED,
and DANNY SPIKER, JR.,
on their own behalf and on behalf of all others similarly situated,**

Plaintiffs,

v.

**CIVIL ACTION NO. 3:18-1526
(Judge Chambers)**

**BETSY JIVIDEN, in her official capacity as Commissioner
of the West Virginia Division of Corrections and Rehabilitation and
THE WEST VIRGINIA DIVISION OF CORRECTIONS AND REHABILITATION, and
SHELBY SEARLS, in his official capacity as
the Superintendent of Western Regional Jail and Correctional Facility,**

Defendants.

**EXPEDITED MOTION BY THE AMERICAN CIVIL LIBERTIES UNION OF WEST
VIRGINIA FOR LEAVE TO INTERVENE FOR THE LIMITED PURPOSE
OF SEEKING TO UNSEAL COURT RECORDS**

Pursuant to Rule 24 of the Federal Rules of Civil Procedure, movant American Civil Liberties Union of West Virginia seeks leave to intervene in this case for the limited purpose of invoking the First Amendment and the common law right of public access to court records in seeking unsealing of records held under protective cover in this case, specifically documents under seal in Docket Number 181, including the Defendants' COVID-19 response plan, Plaintiffs' Expert Declaration, and both of Defendants' responses to Plaintiffs' Expert Declaration. The motion is based on the attached memorandum of law.

Respectfully submitted,

**AMERICAN CIVIL LIBERTIES UNION OF
WEST VIRGINIA FOUNDATION**

/s/ Loree Stark _____

Loree Stark

West Virginia Bar No. 12936

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ACLU of West Virginia Foundation

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CERTIFICATE OF SERVICE

I, Loree Stark, do hereby certify that on this 10th day of April, 2020, I electronically filed a true and exact copy of *Expedited Motion by the American Civil Liberties Union of West Virginia's for Leave to Intervene for the Limited Purpose of Seeking to Unseal Court Records* with the Clerk of Court and all parties represented by counsel using the CM/ECF System.

/s/ Loree Stark

West Virginia Bar No. 12936