

IN RE: SEALED ARREST WARRANTS : IN THE SUPERIOR COURT OF
PURSUANT TO PA. R.CRIM.513.1 : PENNSYLVANIA
:
:
APPEAL OF: THE HERALD :
STANDARD- UNIONTOWN :
NEWSPAPERS. INC, MON VALLEY :
INDEPENDENT., AND OBSERVER :
REPORTER : No. 21 WDA 2023

Appeal from the Order Entered December 14, 2022
In the Court of Common Pleas of Westmoreland County Criminal Division
at No: 801 MD 2022

BEFORE: STABILE, J., DUBOW, J., and KING, J.

ORDER

Presently before us is the appeal of the above-named Media Intervenors from a December 14, 2022 order of the Court of Common Pleas of Westmoreland County denying their Emergency Motion to Intervene and Unseal the docket and judicial records filed in the case of ***Commonwealth v. Kevin Van Lam***. The trial court, under orders dated November 6 and 7, 2022, granted the Commonwealth's Petition to Seal Arrest Warrant Information Pursuant to Rule 513.1 (the "Petition to Seal"). After careful consideration of the certified record, including an *in camera* review of sealed documents, and the parties briefs, it is hereby ordered as follows:

AND NOW, this 8th day of February, 2023, it is hereby **ORDERED** that the trial court's order of December 14, 2022 is **AFFIRMED** insofar as it pertains to the sealing of the following "arrest warrant information" under

Pa.R.Crim.P. 513.1(A), the Commonwealth's Petition to Seal, the criminal complaint, and the affidavit of probable cause. In addition, the trial court's response to this Court's January 26, 2023 Order, submitted to assist in this Court's *in camera* review of sealed information also shall be sealed. All sealed information shall remain under seal until the time of the preliminary hearing scheduled in the matter of ***Commonwealth v. Kevin Van Lam***.

The December 14, 2022 order is **VACATED** insofar as it pertains to the Court of Common Pleas of Westmoreland County secure docket number CP-65-MD-0000801-2022 (the "CCP Docket") and the Magisterial District Judge secure docket number MJ-10103-CR-0000479-2022 ("the MDJ Docket"). The CCP and MDJ Dockets shall immediately be unsealed in their public view formats, as it is this Court's conclusion that these dockets, in their public view formats, do not contain any "arrest warrant information", as that term is used in Rule 513.1(A).¹ A written decision of this Court in support of this order shall follow the preliminary hearing.

PER CURIAM

¹ This order does not forbid the maintenance of a secure docket containing the defendant's confidential personal information.