

HELENA DAILY WORLD *v.* L.T. SIMES, Judge, et al.

05-146

211 S W3d 542

Supreme Court of Arkansas  
Opinion delivered July 1, 2005

1. MOTIONS — MOTION FOR LEAVE TO REVIEW SEALED RECORD — GRANTED — Where petitioner sought access to the sealed record in order to prepare its brief in an action to which it was a party, its motion for leave to review the sealed record was granted.
2. MOTIONS — MOTION FOR EXTENSION OF TIME TO FILE BRIEF — GRANTED. — Petitioner's request for a seven-day extension to file its brief was granted.

Motion for Leave to Review Sealed Record and for Extension of Time to File Brief; granted.

*Wright, Lindsey & Jennings, LLP*, by: *Troy Price*, for petitioner.

*Mike Beebe*, Att'y Gen., by: *Sherr L. Robinson*, Ass't Att'y Gen., for respondent.

**P**ER CURIAM Petitioner The Helena Daily World (Daily World) has filed a motion for leave to review the sealed record in this case. This court granted Daily World's petition for writ of *certiorari* in part when it directed the Phillips County Circuit Clerk to certify and transmit the circuit court's order of January 6, 2005, within thirty days under seal, as well as any related pleadings in the underlying *Weaver* file. See *Helena Daily World v. Phillips County Circuit Court ex rel. Simes*, 361 Ark. 146, 205 S.W.3d 134 (2005) (*per curiam*). We further directed the court reporter in the *Weaver* case to transcribe the January 6, 2005 hearing and to certify and transmit it to us under seal within thirty days of the date of the *per curiam*. See *id.* Both the Phillips County Circuit Clerk and the court reporter in the *Weaver* case complied with this court's directive, and the record was filed under seal in accordance with our *per curiam* order.

[1, 2] Daily World now seeks access to the sealed record in order to prepare its brief in this matter. Daily World is a party in this matter, and we grant the motion and order that *the parties* be provided access to the sealed records, and that immediately there-

---

after, the records be resealed. See *Johnson v. State*, 335 Ark. 333, 982 S.W.2d 669 (1998) (*per curiam*). We further direct that the parties' briefs be submitted to this court under seal, with only the State, who represents the appellee, being permitted access to Daily World's briefs and only Daily World being permitted access to the State's brief. See *id.* The information contained in the sealed record and the sealed briefs relating to the Commission's investigation shall remain confidential until further order of this court. Additionally, we grant Daily World's request for a seven-day extension from the date of this *per curiam* to file its brief.

Motion granted.

---