

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:26-CV-00445-M

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
OYETAYE ABDUL SAKA a/k/a)
TAE BASHIR SAKA,)
)
 Defendant.)

PLAINTIFF'S MOTION TO SEAL
AND INCORPORATED MEMORANDUM OF LAW

The United States moves the Court for an order sealing the unredacted Complaint and accompanying exhibits, filed in the above-referenced case. A redacted version of the Complaint has been filed at D.E. 1.

In support of the motion to seal, Defendant show unto the Court the following:

1. "When deciding whether to seal or otherwise restrict access to judicial documents, courts must balance competing interests." *United States v. Harris*, 890 F.3d 480, 491–92 (4th Cir. 2018).

2. Plaintiff respectfully moves for leave to file under seal the unredacted Complaint and accompanying Exhibits because they contain extensive personally identifiable information ("PII") and other sensitive information—including birthdates required to be redacted by Fed. R. Civ. P. 5.2(a), immigration-related records, and an individual's fingerprint impressions—that cannot be adequately protected without

substantial redaction. The Court's review of the complete, unredacted filings is necessary to adjudicate the claims and evaluate the factual allegations, while public disclosure of the unredacted materials would unnecessarily compromise the privacy interests of Defendant.

3. Although Rule 5.2(c)(2) of the Federal Rules of Civil Procedure limits remote electronic access to certain unredacted filings in immigration cases, it expressly permits those filings to be viewed at the courthouse public access terminal. Therefore, filing the unredacted Complaint and Exhibits pursuant to Rule 5.2(c) alone would not sufficiently protect the sensitive information they contain.

4. Accordingly, good cause exists for the Court to permit the unredacted filings to remain under seal and to allow the redacted versions to serve as the publicly accessible record.

Respectfully submitted this 30th day of June, 2026.

W. ELLIS BOYLE
United States Attorney

BY: /s/ Matthew L. Fesak
MATTHEW L. FESAK
Assistant United States Attorney
Chief, Civil Division
150 Fayetteville Street, Suite 2100
Raleigh, NC 27601
Telephone: (919) 856-4530
Facsimile: (919) 856-4821
E-mail: matthew.fesak@usdoj.gov
NC State Bar No. 35276

CERTIFICATE OF SERVICE

I do hereby certify that a copy of the foregoing Motion will be served upon the Defendant at the address below at the time the Summons and Complaint are served:

OYETAYE ABDUL SAKA
a/k/a Tae Bashir Saka
8862 Elizabet Bennet Place
Raleigh, NC 27616

BY: /s/ Matthew L. Fesak
MATTHEW L. FESAK
Assistant United States Attorney
Deputy Chief, Civil Division
150 Fayetteville Street, Suite 2100
Raleigh, NC 27601
Telephone: (919) 856-4530
Facsimile: (919) 856-4821
E-mail: matthew.fesak@usdoj.gov
NC State Bar No. 35276
Attorney for Plaintiff

Attorney for the United States of America