



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*United States Courthouse
1 Saint Andrew's Plaza
New York, New York 10007*

REQUEST TO BE FILED UNDER SEAL

September 12, 2019

BY EMAIL

The Honorable Paul G. Gardephe
United States District Judge
Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007

**Re: *United States v. Rayshaun Jones*
S4 13 Cr. 416 (PGG)
S6 13 Cr. 416 (PGG)
S7 13 Cr. 416 (PGG)**

Dear Judge Gardephe:

The Government respectfully requests that the Court seal a limited portion of the transcript from sentencing in the above-referenced case, which took place earlier today. During his remarks, defense counsel mentioned the Government's ongoing investigation into the death of Jeffrey Epstein and potential misconduct by officials at the Metropolitan Correctional Center. This investigation is ongoing and the scope of the investigation, along with the defendant's cooperation in that investigation, are not publicly known, and their premature disclosure could significantly impede the ongoing investigation.

The Second Circuit has repeatedly recognized "the law enforcement privilege as an interest worthy of protection," *United States v. Amodio*, 44 F.3d 141, 147 (2d Cir. 1995). The limited redactions the Government seeks are necessary in order to "prevent interference with an investigation," to "preserve the confidentiality of sources," and to preserve the integrity of the ongoing investigation. *In re Dep't of Investigation*, 856 F.2d 481 (2d Cir. 1988) (recognizing that the law enforcement privilege is designed to "prevent interference with an investigation," and to "preserve the confidentiality of sources," among other reasons). Moreover, the requested redactions are narrowly tailored to effectuate this purpose, and the Government will seek the unsealing of the limited portions of the transcript if and when it is appropriate to do so. Accordingly, the Government respectfully requests that the portions of today's transcript pertaining to the Government's investigation into the death of Jeffrey Epstein, along with this

letter, be filed under seal. If the Government grants the Government's request, the Government can submit a proposed set of redactions to the Court after reviewing the court reporter's draft transcript.

Respectfully submitted,

GEOFFREY S. BERMAN
United States Attorney

By: /s/ [REDACTED] _____
Assistant United States Attorneys
[REDACTED]

Cc: Xavier Donaldson, Esq. (by email)