

**IN THE SUPERIOR COURT OF COBB COUNTY
STATE OF GEORGIA**

JONATHAN RIVERA,)
) **Plaintiff,**)
))
v.))
))
GINA SCHARLE)
CHRISTOPHER CURRY,) **Defendants.**)

**CIVIL ACTION
FILE NO. 21101795**

Connie Taylor, Clerk of Superior Court
Cobb County, Georgia

MOTION TO RESTRICT/SEAL RECORD

COMES NOW, Leslee Champion Hungerford, guardian ad litem appointed herein, and pursuant to Uniform Superior Court Rule 21.1. and 21.1, hereby moves this Court to seal the above-styled case on the grounds that disclosure of the pleadings and other filings, specifically affidavits, in this action are harmful to the minor child and shows this Court as follows:

The GAL shows that pleadings in this action and certain witness affidavits were filed setting forth alleged facts and allegations against the parties herein and making allegations related to the minor child. The affidavits contain statements which are sensitive and private in nature. Said filings are not sealed or restricted from public view. Plaintiff Father and Plaintiff's prior counsel have posted the affidavits and links to the Cobb County Superior Court Docket records publicly. Specifically, Plaintiff's former counsel, Matt McMaster, has created a website which directly links the case and contains suggestive language that the minor child has been sexually assaulted. The Plaintiff-Father is additionally posting such links on his social media.

The behavior of Plaintiff-Father and his prior counsel has resulted in public embarrassment and ridicule of the minor child. The minor child has expressed concerns

about the public nature of such documents. The GAL shows that the minor child's privacy interests outweigh the public interest in this case. *See, Uniform Superior Court Rule 21.*

Pursuant to Uniform Superior Court Rule 21, a "court records are public and are to be available for public inspection unless public access is limited by law or by the procedure set forth below." Uniform Superior Court Rule 21.2 further authorizes the Superior Court to limit the access to court records "upon a finding that the harm otherwise resulting to the privacy of a person in interest clearly outweighs the public interest."

The potential injury to the minor child significantly outweighs the public benefit received by allowing the case file to remain unsealed. Based on the foregoing, the GAL shows that these court records should be sealed from public view. *See, In re Atlanta Journal Constitution*, 271 Ga. 436 (1999). The public has no true interest in having unfettered access to the case file. There is no public benefit to having access to the pleadings. The Court should use its authority to limit access to the pleadings.

WHEREFORE, GAL moves that the Court use its authority to permanently seal from public access the entire record, including all internet and electronic access from inside and outside the Clerk's Office. The GAL prays that rule nisi issue and a hearing be held on this Motion at the earliest opportunity.

This 13th day of July, 2022.

O'DELL, O'NEAL, HUNGERFORD, & BLANCHARD

/s/ Leslee Champion Hungerford
Leslee Hungerford, GA Bar No. 423578

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CERTIFICATE OF SERVICE

This is to certify that on the 13 day of July, 2022, the *Motion To Seal Record* was filed with the Clerk of the Superior Court, and all parties and counsel listed below were served via e-mail and PeachCourt Statutory Electronic Service.

David Canale – Dcanale@mtlawoffice.com
Tom Browning – tj@browningsmith.com
Jonathan Rivera - riverajonathan27@gmail.com

This 13 day of July, 2022.

O'DELL, O'NEAL, HUNGERFORD, & BLANCHARD

/s/Leslee C. Hungerford
Leslee C. Hungerford, GA Bar No. 423578

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