

**STATE OF NEW MEXICO  
COUNTY OF SANTA FE  
FIRST JUDICIAL DISTRICT**

**STATE OF NEW MEXICO  
Plaintiff,**

**v.**

**Case.: D-101-CR-2023-00041**

**DAVID HALLS,  
Defendant.**

**MOTION TO SEAL DEFENDANT'S ADDRESS  
and to SUBSTITUTE ATTORNEY ADDRESS IN THE PUBLIC RECORD**

COMES NOW, Mr. Halls' by and through attorney, Lisa Torracco, and hereby moves this Court pursuant to Rule 5-123 NMRA to seal Mr. Halls' address from public access.

The New Mexico Rules of the District Court provide that some personal information may be kept out of the public record. Rule 5-123G NMRA provides in part;

G. . . . The court may order that a court record be filed under seal only if the court by written order finds and states facts that establish the following:

- (a) the existence of an overriding interest that overcomes the right of public access to the court record;
- (b) the overriding interest supports sealing the court record;
- (c) a substantial probability exists that the overriding interest will be prejudiced if the court record is not sealed;
- (d) the proposed sealing is narrowly tailored; and
- (e) no less restrictive means exist to achieve the overriding interest.

1. Immediately after the incident, the media identified Mr. Halls as the assistant director that was on the set at the time of the shooting. Mr. Halls was then overwhelmed by the

intense media coverage and many reporter inquiries. He did not respond to any inquiries, and he has since changed his phone number, email address and physical address.

2. After retaining counsel, his attorney's office handled media inquiries. Mr. Halls' personal information is not currently in the public domain.
3. The Criminal Information was filed on January 31, 2023, again, this case drew wide interest and attention. There is an increasing number of non-media people who are contacting defense counsel to offer their opinions on Mr. Halls' case.
4. Undersigned counsel is unavailable to attend the February 24, 2023 arraignment. She will be in a trial. She intends to submit a waiver of arraignment. However, Mr. Halls' address is required on the Order Setting Conditions of Release. Due to the high level of publicity and public interest in his co-defendant, undersigned moves this Court to seal Mr. Halls' mailing/physical address and phone number from the public forum. Mr. Halls respectfully wishes to avoid unnecessary attention and harassment. The ends of justice on the ultimate issues shall not be affected by the sealing of Mr. Halls' personal information. He can be contacted via undersigned counsel, and the defense can file his contact information under seal.
5. Due to the intensive public interest, unwanted attention and potential safety concerns, the defense moves this Court to seal the defendant's mailing/physical address, email address and phone number from the public forum and permit Mr. Halls to list the address of counsel of record in lieu of his personal contact information.
6. The public does not have a right to Mr. Halls' address, email and phone number. On the other hand, Mr. Halls has a privacy right.

7. Defense moves that the Order shall explicitly state that it remains in effect until further order of the court.
8. District Attorney, Mary Carmack-Altwies approves this motion.

WHEREFORE, undersigned moves this Court to seal Mr. Halls' mailing/physical address, email and phone number from the public, and permit the public record to only reflect defense counsel's address on all public documents. Defense further moves this Court for any other relief this Court deems proper and just.

Respectfully submitted,

/s/ Lisa Torracco

Lisa Torracco

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**Certificate of Service**

I hereby certify that a true and correct copy of the foregoing pleading was delivered to the prosecuting attorney on the 2nd day of February, 2023.

/s/ Lisa Torracco

Lisa Torracco

Attorney for David Halls