

**Rule 109      Availability of Impounded or Sealed Materials**

- (a) Any party or attorney of record on appeal may access impounded materials but may not access sealed materials without leave of the Court. Any non-party may not access impounded materials or sealed materials without leave of the Court. The Court, in its sole discretion, shall grant or deny leave upon motion supported by affidavit or verification, specifying the basis for access.
- (b) If any materials are misclassified as impounded or sealed, the Court, *sua sponte* or upon motion, may reclassify the materials.