

THIRD DISTRICT COURT OF APPEAL OF FLORIDA

Saul Adam Len v. State of Florida

Len · No. 3D25-1327 · Decided April 1, 2026

SUMMARY

The Third District Court of Appeal of Florida affirmed an order unsealing court transcripts and records, including a plea colloquy and plea agreement, that had previously been sealed. The court held that the trial court did not abuse its discretion in determining that the asserted privacy interests of the appellant’s wife and family did not override the public’s right of access to court records.

CASE DETAILS

COURT	Third District Court of Appeal of Florida
WRITING FOR THE COURT	Bokor, J.; Miller, J.; Lobree, J.
JURISDICTION	Florida Third District Court of Appeal
DECIDED	April 1, 2026
DOCKET	3D25-1327
DISPOSITION	affirmed
PROCEDURAL POSTURE	Len appealed a trial court order unsealing court transcripts and records, including a plea colloquy and plea agreement, that had previously been sealed under a confidentiality order.
STANDARD OF REVIEW	Abuse of discretion
PRECEDENTIAL VALUE	Published
PARTIES	Saul Adam Len v. State of Florida

TOPICS

- appellate procedure
- standard of review
- civil procedure

PRACTICE AREAS

- appellate procedure
- criminal procedure
- court records and public access

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion by vacating a prior confidentiality order and unsealing the plea colloquy, plea agreement, and related court records.
2. Whether the asserted risk of substantial injury to innocent third parties established a privacy interest sufficient to override the public's right of access to court records.

HOLDINGS

1. The trial court did not abuse its discretion in vacating the prior confidentiality order and unsealing the records.
2. The asserted rationale of avoiding substantial injury to innocent third parties did not establish a privacy interest sufficient to override the public's right to inspect the records.

KEY QUOTATIONS

“We review the trial court’s order unsealing the records for abuse of discretion.” (at 1)

“Discerning no abuse of discretion, we affirm.” (at 1)

“Concluding that the trial court did not abuse its discretion in vacating the previously entered confidentiality order by finding no applicable exception to the interests of judicial accuracy and public access, we affirm.” (at 2)

FACTUAL BACKGROUND

A prior confidentiality order sealed certain court transcripts and records, including Len's plea colloquy and plea agreement. Len asserted that confidentiality was necessary to avoid substantial injury to innocent third parties, including his wife and family. After an evidentiary hearing, the trial court found that release of the records would not substantially injure their privacy interests and that any potential injury resulted from information already publicly available.

PROCEDURAL HISTORY

The Circuit Court for Miami-Dade County held an evidentiary hearing and ordered the records unsealed after finding that the asserted risk of substantial injury to innocent third parties did not establish a privacy interest overriding the public's right of access. Len appealed, and the Third District Court of Appeal affirmed.

DISPOSITION

affirmed

CASES CITED

- *Post-Newsweek Stations, Fla. Inc. v. Doe*, 612 So. 2d 549, 552-53 (Fla. 1992)
- *Barron v. Fla. Freedom Newspapers, Inc.*, 531 So. 2d 113, 118 (Fla. 1988)

OPINION

PER CURIAM.

Third District Court of Appeal State of Florida Opinion filed April 1, 2026. Not final until disposition of timely filed motion for rehearing. _____ No. 3D25-1327 Lower Tribunal No. F24-12790 _____ Saul Adam Len, Appellant, vs. State of Florida, Appellee. An Appeal from the Circuit Court for Miami-Dade County, Zachary James, Judge. Reizenstein & Associates, P.A., and Philip L. Reizenstein, for appellant.

James Uthmeier, Attorney General, and Liz Marie Feliz, Assistant Attorney General, for appellee. Before MILLER, LOBREE and BOKOR, JJ. BOKOR, J. Saul Adam Len appeals from a trial court order unsealing certain court transcripts and records, including a plea colloquy and a plea agreement, that were sealed by a prior confidentiality order.

We review the trial court's order unsealing the records for abuse of discretion.¹ Discerning no abuse of discretion, we affirm. The Florida Supreme Court has explained that “‘it is generally the content of the subject matter’ that determines whether a privacy interest exists that might override the public’s right to inspect the records.” *Id.* at 552 (quoting in part *Barron v. Fla. Freedom Newspapers, Inc.*, 531 So.

2d 113, 118 (Fla. 1988)). The trial court, after an evidentiary hearing, concluded that Len’s purported rationale to designate the records confidential “to avoid substantial injury to innocent third parties” did not establish a privacy interest overriding the public’s right to inspect the records. *Barron*, 531 So. 2d at 118; see also Fla. R. Gen. Prac. & Jud.

Admin. 2.420(c)(9)(A) (codifying by rule the factors outlined in *Barron*). The trial court explicitly weighed the public’s right to access records and the strong presumption of openness of court proceedings against the purported privacy interests.

The trial court found that the release of the information protected by the prior confidentiality order

1 See *Post-Newsweek Stations, Fla. Inc. v. Doe*, 612 So. 2d 549, 553 (Fla. 1992). 2 didn’t substantially injure innocent third parties’ (Len’s wife and family’s) privacy interests.² Such an injury, to the extent it occurred or could occur, was a result of the already publicly available information.

So it follows that the content of the subject matter does not present a privacy interest that overrides the public’s right to the records. *Post-Newsweek Stations*, 612 So. 2d at 552. Concluding that the trial court did not abuse its discretion in vacating the previously entered confidentiality order by finding no applicable exception to the interests of judicial accuracy and public access, we affirm.

Affirmed. 2 Additionally, to the extent relevant, the release of the records does not impact the plea agreement. Specifically, in his briefing, Len expressly states he does not seek to withdraw his plea.

In any event, a review of the plea agreement does not condition the plea or Len's agreement thereto on the sealing of the records sought to be released. 3

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/florida-third-district-court-of-appeal-third-district-court-of-appeal-of-florida/2026/saul-adam-len-v-state-of-florida-gaegfiq0>