

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

Phillip Franklyn Vance-Meyers v. Johnson County, Kansas, et al.

Vance-Meyers · No. No. 26-2272-KHV · Decided June 1, 2026

SUMMARY

The United States District Court for the District of Kansas overrules the plaintiff's motions to file a master evidence catalog and a supplemental memorandum under seal. The court holds that the plaintiff failed to show a significant interest outweighing the common-law presumption of public access to judicial records and had not demonstrated a need to submit the evidence catalog at the preliminary pleading stage. The court also finds any request for a discovery-related protective order premature.

CASE DETAILS

COURT	United States District Court for the District of Kansas
WRITING FOR THE COURT	Kathryn H. Vratil
JURISDICTION	United States District Court for the District of Kansas
DECIDED	June 1, 2026
DOCKET	No. 26-2272-KHV
DISPOSITION	other
PROCEDURAL POSTURE	The plaintiff moved to file a master evidence catalog and a supplemental memorandum under seal, characterizing the requests as motions for a protective order and leave to file evidence under seal. The district court overruled both motions.
STANDARD OF REVIEW	The court applied the common-law presumption of public access to judicial records and weighed the public interest in access against the interests asserted in support of sealing. The party seeking sealing had to identify a real and substantial interest favoring nondisclosure and support it with particular and specific facts.
PRECEDENTIAL VALUE	Unpublished district court memorandum and order; persuasive rather than generally binding outside the case.
PARTIES	Phillip Franklyn Vance-Meyers v. Johnson County, Kansas, et al.

TOPICS

civil procedure

pleadings

injunctions

evidence

PRACTICE AREAS

civil procedure

sealing of judicial records

pleading and preliminary screening

injunctive relief

QUESTIONS PRESENTED

1. Whether plaintiff established a sufficient interest to overcome the common-law presumption of public access and permit filing his master evidence catalog under seal.
2. Whether plaintiff established a sufficient interest to overcome the presumption of public access and permit filing his second supplemental memorandum supporting his emergency motion for a temporary restraining order and preliminary injunction under seal.
3. Whether plaintiff's request for a protective order concerning information produced during discovery was ripe.

HOLDINGS

1. The court held that plaintiff did not overcome the presumption of public access because he failed to show a need to file the master evidence catalog at the preliminary pleading-screening stage and failed to identify a real and substantial interest in nondisclosure that outweighed the public interest.
2. The court held that plaintiff did not overcome the presumption of public access because he did not attach the proposed memorandum or identify specific information in it requiring protection, and merely asserted that it referenced and incorporated the evidence catalog.
3. The court held that any request for protection of information plaintiff might produce during discovery was premature.

KEY QUOTATIONS

“The party seeking to overcome the presumption of public access must show that some significant interest which favors non-disclosure outweighs the public interest in access to court proceedings and documents.” (at 1)

“At this preliminary stage, plaintiff must adequately plead his claims— he does not have to submit evidence in support of any such claims.” (at 2)

FACTUAL BACKGROUND

Plaintiff sought to seal a master evidence catalog containing 230 exhibits, asserting that it included sensitive personal information and trial strategy. He did not submit the catalog with his sealing motions, and the limited excerpts available in the record appeared to summarize proposed trial exhibits without revealing sensitive personal information beyond what was already disclosed in the complaint. Plaintiff also sought to seal a second supplemental memorandum supporting his request for emergency injunctive relief, but did not attach the proposed memorandum or explain what information required protection.

PROCEDURAL HISTORY

Plaintiff filed an action in the District of Kansas and moved to seal a 230-exhibit master evidence catalog and a second supplemental memorandum supporting his emergency motion for a temporary restraining order and preliminary injunction. The court noted that a magistrate judge was screening the complaint under 28 U.S.C. § 1915(e)(2)(B), concluded that plaintiff had not shown either a need to file the catalog at that stage or a significant interest outweighing the public right of access, and overruled both motions.

DISPOSITION

other

CASES CITED

- Mann v. Boatright, 477 F.3d 1140, 1149 (10th Cir. 2007)
- Nixon v. Warner Communications, 435 U.S. 589, 599 (1978)
- Crystal Grower's Corp. v. Dobbins, 616 F.2d 458, 461 (10th Cir. 1980)
- Helm v. Kansas, 656 F.3d 1277, 1292 (10th Cir. 2011)
- Colony Insurance Co. v. Burke, 698 F.3d 1222, 1241 (10th Cir. 2012)
- Gulf Oil Co. v. Bernard, 452 U.S. 89, 102 n.16 (1981)
- United States v. Bacon, 950 F.3d 1286, 1294 (10th Cir. 2020)
- Conley v. Gibson, 355 U.S. 41, 47 (1957)
- Swierkiewicz v. Sorema N.A., 534 U.S. 506, 512 (2002)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS PHILLIP FRANKLYN VANCE-MEYERS,)) Plaintiff,) CIVIL ACTION) v.) No. 26-2272-KHV) JOHNSON COUNTY, KANSAS, et al.,)) Defendants.)
_____) MEMORANDUM AND ORDER This matter is before the Court on plaintiff's Motion For Protective Order (To File Evidence Under Seal – Fed.

R. Civ. P. 26(c)) (Doc. #17) filed May 18, 2026 and his supplemental Motion For Leave To File Evidence Under Seal (Doc. #20-2) filed May 25, 2026. For reasons stated below, the Court overrules both motions. Federal courts have long recognized a common-law right of access to judicial records. Mann v. Boatright, 477 F.3d 1140, 1149 (10th Cir. 2007). This right stems from the fundamental public interest in understanding disputes that parties present to a public forum for resolution.

See Nixon v. Warner Commc'ns, 435 U.S. 589, 599 (1978); Crystal Grower's Corp. v. Dobbins, 616 F.2d 458, 461 (10th Cir. 1980). In determining whether documents should be sealed, the Court weighs the public interest, which it presumes is paramount, against the interests advanced by the parties. Helm v. Kansas, 656 F.3d 1277, 1292 (10th Cir. 2011).

The party seeking to overcome the presumption of public access must show that some significant interest which favors non- disclosure outweighs the public interest in access to court proceedings and documents. *Colony Ins. Co. v. Burke*, 698 F.3d 1222, 1241 (10th Cir. 2012).

To do so, the party must articulate a real and substantial interest that justifies depriving the public of access to the records that inform the Court’s decision-making process. *Id.*; see also *Gulf Oil Co. v. Bernard*, 452 U.S. 89, 102 n.16 (198 1) (moving party must submit particular and specific facts, not merely “stereotyped and conclusory statements”).

The Court must rely on specific, rather than general, information when deciding to seal. See *United States v. Bacon*, 950 F.3d 1286, 1294 (10th Cir. 2020). Plaintiff seeks to file under seal his “master evidence catalog” which consists of 230 exhibits and includes sensitive personal information and trial strategy. Motion For Leave To File Evidence Under Seal (Doc. #20-2) at 4; Motion For Protective Order (To File Evidence Under Seal – Fed.

R. Civ. P. 26(c)) (Doc. #17) at 1. Plaintiff has not included the “master evidence catalog” with his motions to seal. From the limited excerpts of the catalog available elsewhere in the record, it appears that the catalog includes a summary of exhibits which plaintiff ultimately intends to present at trial and does not contain sensitive personal information which is not otherwise disclosed in plaintiff’s complaint.

See Master Evidence Catalog (Doc. #11-2) filed May 14, 2026 (37 pages). Plaintiff does not explain how the exhibits relate to his complaint, which the magistrate judge is currently screening under 28 U.S.C. § 1915(e)(2)(B).

Under notice pleading requirements, plaintiff must provide “a short and plain statement of the claim” showing that he is entitled to relief, Fed. R. Civ. P. 8(a)(2), to give defendants fair notice of his claims and the grounds upon which they rest. *Conley v. Gibson*, 355 U.S. 41, 47 (1957).

The notice pleading standard in Rule 8(a) relies on liberal discovery rules and summary judgment motions to define disputed facts and issues and to dispose of non-meritorious claims. *Swierkiewicz v. Sorema N.A.*, 534 U.S. 506, 512 (2002). At this preliminary stage, plaintiff must adequately plead his claims—he does not have to submit evidence in support of any such claims.

Because plaintiff has not shown a need to file a “master evidence catalog” or that he has an interest in protection of the information in the catalog which outweighs the public right of access, the Court overrules his -2- request to file the catalog under seal.¹ Plaintiff also seeks to file under seal a “second supplemental memorandum” in support of his Emergency Motion For Temporary Restraining Order And Preliminary Injunction (Doc. #4) filed May 7, 2026.

Plaintiff has not attached his proposed memorandum or explained how any information in the memorandum overcomes the presumption of public access. Plaintiff states that the memorandum

should be sealed because it “references and incorporates the sealed evidence catalog.” Motion For Protective Order (To File Evidence Under Seal – Fed. R. Civ. P. 26(c)) (Doc. #17) at 2.

As noted above, plaintiff has not attached the catalog to his motions to seal. To the extent that information in plaintiff’s “evidence catalog” could be relevant to the ruling on his motion for temporary restraining order and preliminary injunction, he has not met the heavy burden to articulate a real and substantial interest which justifies depriving the public access to the records which inform the Court’s decision-making process.

See *Colony Ins.*, 698 F.3d at 1242. The Court therefore overrules plaintiff’s motions to seal. IT IS THEREFORE ORDERED that plaintiff’s Motion For Protective Order (To File Evidence Under Seal – Fed. R. Civ. P. 26(c)) (Doc. #17) filed May 18, 2026 is OVERRULED. IT IS FURTHER ORDERED that plaintiff’s supplemental Motion For Leave To File Evidence Under Seal (Doc. #20-2) filed May 25, 2026 is OVERRULED.

Dated this 1st day of June, 2026 at Kansas City, Kansas. s/ Kathryn H. Vratil KATHRYN H. VRATIL United States District Judge 1 To the extent that plaintiff seeks a protective order for information which he produces during discovery, the Court overrules his request as premature. If the case survives screening under 28 U.S.C. § 1915(e)(2)(B) and proceeds to an initial scheduling conference, plaintiff can renew his request at that time. -3-