

IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT,  
IN AND FOR ORANGE COUNTY, FLORIDA

CASE NUMBER: 2009-DR-008808-O

KEVIN SCOTT KIRBY

Petitioner,

vs.

MICHELE LEE KIRBY

Respondent.

**ORDER VACATING ORDER ON MOTION TO SEAL FILE**

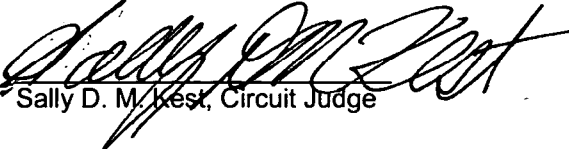
This matter came on before the Court this date sua sponte and the Court noted that this Court's Order on Motion to Seal File entered January 26, 2010 should be vacated and set aside. The Florida Supreme Court stated in rule 2.240(d)

"The Florida Constitution mandates that the public shall have access to court records, subject only to certain enumerated limitations and this Court has adopted the rules of procedure recognizing this right of public access to court records. These rules identify a narrow category of court records where public access is automatically restricted by operation of state or federal law or court rule, such as in child dependency cases. Otherwise, our rules strongly disfavor court records that are hidden from public scrutiny. The rules provide only a limited veil that is restricted to a second category of court records where a set of carefully defined interests are involved."

It is thereupon ORDERED AND ADJUDGED as follows:

1. This Court's Order entered January 26, 2010 entitled Order on Motion to Seal File is hereby vacated and set aside.
2. Counsel shall coordinate and schedule a hearing with the undersigned and present testimony of the parties to satisfy the requirements of rule 2.420, Florida Rules of Judicial Administration.

DONE AND ORDERED at Orlando, Florida this 5<sup>th</sup> day of February, 2010

  
Sally D. M. West, Circuit Judge

Copies furnished this date by Court's Judicial Assistant to:  
Sonica R Cinami, Esq. 1500 E Concord St  
Orlando FL 32853

Samuel J. Weiss, Esq. 1059 Maitland Center Commons Blvd  
Maitland, FL 32751

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