

IN THE SUPREME COURT OF THE UNITED STATES

No. 25-197

T.M., PETITIONER

v.

UNIVERSITY OF MARYLAND MEDICAL SYSTEM CORPORATION, ET AL.

MOTION FOR LEAVE TO FILE THE JOINT APPENDIX PARTIALLY UNDER SEAL

Pursuant to this Court's Rules 21 and 34(7), petitioner respectfully moves for leave to file the joint appendix partially under seal. Counsel for respondents has indicated that respondents consent to this motion.

1. This case arises from a lawsuit filed in federal court by petitioner in 2023 against respondents and other defendants related to petitioner's involuntary commitment to the medical facilities of respondent Baltimore Washington Medical Center. Petitioner alleges that, during her involuntary commitment, the Medical Center sought to inject her with antipsychotic medications against her will. After petitioner commenced legal proceedings in Maryland state court, including a habeas action, the Medical Center agreed to release petitioner if she agreed to certain post-release conditions. Petitioner did so in an agreement that was reduced to a consent order in the habeas action. Petitioner subsequently appealed the consent order to the Appellate Court of Maryland.

While the appeal in the state-court action remained pending, petitioner initiated this action in federal district court, seeking declaratory and injunctive relief on constitutional grounds. The district court dismissed petitioner's suit under the Rooker-Feldman doctrine. The court of appeals affirmed. This Court granted certiorari to consider whether the Rooker-Feldman doctrine can be triggered by a state-court decision that remains subject to further review in state court.

2. In conjunction with the filing of petitioner's brief, petitioner intends to include in the joint appendix a copy of the federal-court complaint and five exhibits to the complaint: the state-court consent order, petitioner's advance medical directive, and three administrative decisions approving petitioner's involuntary admission and forcible injection. Those documents contain petitioner's protected health information, such as petitioner's medical diagnoses, prescribed medication, and statements regarding her medical care. For that reason, the five exhibits to the complaint were maintained entirely under seal in the district court and the court of appeals. In addition, the complaint was filed under seal in the district court; a redacted version of the complaint was also filed and remains available to the public.

3. Because the complaint and the five exhibits to the complaint that the parties intend to include in the joint appendix contain petitioner's protected health information, petitioner moves for leave to file the joint appendix partially under seal in this Court. In particular, petitioner moves to file the complaint partially under seal in order to redact a link to petitioner's

protected health information. Petitioner also moves to file the five exhibits to the complaint entirely under seal because those documents in their entirety constitute petitioner's protected health information. Petitioner seeks to include the complaint and the state-court consent order in the joint appendix because those documents are pertinent to the Court's consideration of the case; petitioner seeks to include the other identified documents in the joint appendix because respondents have requested their inclusion and petitioner does not object. See S. Ct. R. 26.2. Petitioner is simultaneously filing a proposed public version of the joint appendix, which includes proposed redactions to the complaint.

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For those reasons, the motion to file the joint appendix partially under seal should be granted.

Respectfully submitted.

/s/ Kannon K. Shanmugam
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