

# The South Carolina Court of Appeals

Benigna Vargas, Appellant,

v.

MGA Insurance Company, Inc. and Calidad Latina, Inc.,  
Respondents.

Appellate Case No. 2023-001833

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## ORDER

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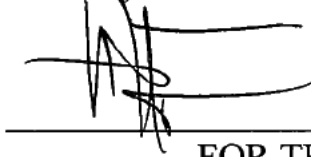
On October 31, 2024, Appellant filed a motion to file a document under seal. This court denied the motion to seal is denied without prejudice to Appellant's right to file an amended motion providing the court with the information required by Rule 41.1(b), SCRCPP, and *Ex parte Capital U-Drive-It, Inc.* On December 16, 2024, Appellant filed an amended motion to file a document under seal, which was attached to the motion. Respondents consented to the motion.

Although there is no provision in the South Carolina Appellate Court Rules for sealing records in the appellate court, the court has the power to control its own records. *See Ex parte Capital U-Drive-It, Inc.*, 369 S.C. 1, 12, 630 S.E.2d 464, 470 (2006). Rule 41.1(b), SCRCPP, requires the moving party to state the reasons why sealing is necessary, explain why less drastic alternatives to sealing will not afford adequate protection, and address the following factors:

(1) ensuring the parties' right to a fair trial or hearing; (2) the need for witness cooperation; (3) the reliance of the parties upon expectations of confidentiality of the proceeding; (4) the public or professional significance of the proceeding; (5) the perceived harm to the parties from disclosure; (6) why alternatives other than sealing the documents are not available to protect legitimate private interests; and (7) why the public interest,

including, but not limited to, the public health and safety, is best served by sealing the documents.

After careful consideration, the motion to seal is granted. Appellant may file a supplemental record on appeal under seal, which contains the sealed document.

A handwritten signature in black ink, appearing to be the initials 'MS' followed by a flourish, positioned above a horizontal line.

FOR THE COURT

Columbia, South Carolina

**FILED**  
**Feb 14 2025**

cc:

Raymond Talmage Wooten, Esquire  
Jeanmarie Tankersley, Esquire  
David Dalton Woodrow Barfield, Esquire