

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

EUGENE E. FORTE

Plaintiff,

V.

**COUNTY OF MERCED, *et al.*,**

## Defendants.

Case No. 1:11-cv-00318-AWI-BAM

**ORDER ADMONISHING PLAINTIFF  
REGARDING DOCUMENTS FILED IN  
CM/ECF; STRIKING DOC. 318; AND  
GRANTING LEAVE TO FILE A PROPER  
MOTION**

WARNING: PERMISSION TO FILE  
ELECTRONICALLY MAY BE REVOKED

On April 7, 2015, Plaintiff, appearing in pro per, filed a document requesting Judge Anthony W. Ishii institute an investigation into certain court staff's conduct. (Doc. 318.) The "title" of the document names court staff and accuses court staff of falsely claiming Forte engaged in bad check writing, demands the court undertake an investigation, and states that the court and staff are prejudiced. The "title" of the document is argument, improper, and abusive. There is no legitimate purpose for including such language in the Court's docket.<sup>1</sup>

Plaintiff has been granted leave to file electronically in the Court's electronic filing system ("CM/ECF"). It is a privilege for a pro se party to be permitted to file pursuant to the Court's CM/ECF system, it is not a right. See L.R. 133(b)(3) ("Pro Se Party Exception. Any person appearing pro se may **not** utilize electronic filing except with the permission of the assigned Judge or Magistrate

<sup>1</sup> An electronic filer has the option of selecting standard menu options for titling a document or entering the filer's own text. Mr. Forte entered his own text.

1 Judge. All pro se parties shall file and serve paper documents as required by applicable Federal Rules  
2 of Civil or Criminal Procedure or by these Rules.”) Local Rule 133(b)(2) (emphasis in original).  
3 Plaintiff has been warned in the past that his conduct and submissions to the Court must comport with  
4 professionalism, Local Rules, and Federal Rules of Civil Procedure. (See e.g., Doc. 263, 300.)

5 Accordingly, DOC. 318 is STRICKEN from the Docket in this case. Plaintiff is granted leave  
6 to file an appropriate motion. Plaintiff is advised that any future filings must be filed in a motion  
7 format. Docket entries that are argumentative and abusive are improper. Any further such filings **will**  
8 result in revocation of permission to file electronically.

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10 IT IS SO ORDERED.

11 Dated: April 9, 2015

12 /s/ *Barbara A. McAuliffe*  
13 UNITED STATES MAGISTRATE JUDGE

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