UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA

WILBUR ATCHERLEY,) Case No.: 1:12cv00225 LJO DLB (PC)
Plaintiff, v.) ORDER REGARDING PLAINTIFF'S) MOTION FOR COURT ORDER) DECARDING SERVICE
CLARK, et al.,) REGARDING SERVICE)
1) (Document 73)
Defendants.)
))

Plaintiff Wilbur Atcherley ("Plaintiff") is a prisoner in the custody of the California Department of Corrections and Rehabilitation ("CDCR"). Plaintiff is proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. The action is currently in the discovery phase.

On June 9, 2014, Plaintiff filed a motion for a Court order directing the Facility C Law Librarian to allow (1) Plaintiff to make more than three copies of a document filed with the Court; and (2) Plaintiff to make copies for private counsel. Plaintiff states that since there are three different attorneys representing Defendants in this action (the Attorney General and two private firms), he needs numerous copies to comply with service requirements.

Such an order is unnecessary, however. In the Court's February 22, 2012, First Informational Order, the Court explained that Plaintiff is not required to send the Court copies of documents.

Plaintiff is also not required to serve the Attorney General, as counsel will receive service via the Court's electronic filing system ("CM/ECF").

As for private counsel, while the 2012 order does require Plaintiff to serve parties who are not represented by the Attorney General, the Court will relieve Plaintiff of this requirement. The current version of the First Information Order specifically states that a pro se plaintiff need not serve documents on counsel for defendant (though a proof of service is required for purposes of the mailbox rule), and that notice of filings will be made through CM/ECF.

Accordingly, for future filings in this action, the notification of filing from CM/ECF will constitute service and all dates will be calculated from the notification of filing.

IT IS SO ORDERED.

Dated: June 18, 2014 /s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE