

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RAYMOND BALDHOSKY,

CASE No. 1:12-cv-01200-MJS (PC)

Plaintiff,

ORDER DENYING WITHOUT PREJUDICE
PLAINTIFF'S MOTION FOR PERMISSION
FOR ELECTRONIC CASE FILING

v.

(ECF No. 7)

SUSAN HUBBARD, et al.,

Defendants.

_____ /

Plaintiff Raymond Baldhosky is a former state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. (ECF No. 1.)

Plaintiff consented to Magistrate Judge jurisdiction. (ECF No. 6.)

The Court has not yet screened Plaintiff's Complaint. On September 17, 2012, Plaintiff filed a Motion for Permission for Electronic Case Filing to allow him to e-file documents in this Court's CM/ECF case management system. (ECF No. 7.) This Motion is now before the Court.

Plaintiff does not have a right to e-file documents with the Court. A pro se party is to file and serve paper documents. Local Rule 133(a). However, a pro se party may utilize electronic filing with permission of the Court. Local Rules 133(b)(2), 183(c). A request to

1 utilize electronic filing shall be submitted as a stipulation, Local Rule 143, or if a stipulation
2 can not be had as a written motion setting out an explanation of the reasons therefore.
3 Local Rule 133(b)(3).

4 At this early stage of the proceedings, it is not clear that the relief requested is
5 supported by good cause and would further the interests of the parties or the Court.
6 Absent some presently unforeseen development in this case, there is nothing further
7 Plaintiff will be required to file before his case is screened. The fact Plaintiff
8 characterizes himself as disabled and living some distance from the Court does not
9 suggest a need for e-filing. Paper filing by mail is acceptable and generally does not
10 require a party travel to the courthouse.

11 Accordingly, it is HEREBY ORDERED that Plaintiff's Motion for Permission for
12 Electronic Case Filing (ECF No. 7) is DENIED but without prejudice to Plaintiff moving
13 the Court again if reasons beyond those presently known are shown to exist and justify
14 e-filing.

15
16 IT IS SO ORDERED.

17 Dated: October 3, 2012

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE