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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DAMIEN DWAYNE OLIVE,
Plaintiff,
v.
DR. S. LOPEZ, et al.,
Defendant.

CASE NO. 1:6-cv-00427-AWI-MJS (PC)
**ORDER DENYING PLAINTIFF'S MOTION
TO SUBMIT ADDITIONAL PAGES
EXCEEDING THE E-FILING PAGE LIMIT**
**ORDER DIRECTING CLERK'S OFFICE
TO RETURN PLAINTIFF'S ADDITIONAL
PAGES TO PLAINTIFF WITH THIS
ORDER AND A COPY OF THE
STANDING ORDER**

Plaintiff is a prisoner proceeding pro se and in forma pauperis in this civil rights action filed pursuant to 42 U.S.C. § 1983. On March 29, 2016, Plaintiff electronically filed his initial complaint, totaling thirteen (13) pages. (ECF No. 1.) On April 6, 2016, Plaintiff submitted hardcopies of a number of exhibits as an attachment to his complaint, totaling fifty-eight (58) additional pages. Plaintiff states that prison officials refused to accept these additional pages for filing because they exceeded the electronic filing page limits. Therefore, he submitted the hardcopies directly to the Clerk pursuant to Local Rule 133(d)(1).

As Plaintiff is currently incarcerated at Kern Valley State Prison ("KVSP"), he is subject to the Standing Order In Re: Procedural Rules for Electronic Submission of

1 Prison Litigation Filed by Plaintiffs Incarcerated at Corcoran, Pleasant Valley, and Kern
2 Valley State Prisons, filed on December 15, 2015. Pursuant to the Standing Order,
3 which applies to initial filings, new complaints are subject to e-filing and they may not
4 exceed twenty-five (25) pages in length. Under the Standing Order, if a Plaintiff wishes
5 to file a complaint longer than twenty-five (25) pages, he must so move the Court,
6 include the proposed complaint with the motion, and demonstrate good grounds for
7 exceeding the page limitation.

8 Plaintiff may not invoke Local Rule 133(d)(1) under these circumstances. Local
9 Rule 133(d)(1) states that “all paper documents presented for filing shall be delivered to
10 the Clerk who will, *where appropriate*, deliver the documents to the Judge or Magistrate
11 Judge after docketing” (emphasis added). Plaintiff’s fifty-eight (58) additional pages are
12 not appropriately before the Court.

13 It appears that Plaintiff’s additional documents are medical records pertaining to
14 his seizure condition. Some date back to 2001. Medical records are rarely appropriately
15 filed with an initial complaint, and Plaintiff has not shown why his are the exception. The
16 Court cannot serve as a repository for parties’ evidence (e.g., prison or medical records,
17 affidavits, declarations). The parties may not file evidence with the Court until the course
18 of litigation brings the evidence into question, such as on a motion for summary
19 judgment, at trial, or when specifically requested by the Court.

20 Therefore, to the extent the paper filing is construed as a motion seeking relief
21 from the Standing Order, it will be denied. Plaintiff is required to comply with the e-filing
22 procedures set forth in the Standing Order. The Clerk of Court will be directed to return
23 Plaintiff’s additional pages to him along with this order and a copy of the Standing Order
24 In Re: Procedural Rules for Electronic Submission of Prisoner Litigation.

25 Based on the foregoing, it is HEREBY ORDERED that:

- 26 1) Plaintiff’s motion to submit additional pages in excess of the twenty-five (25)
27 page e-filing limit is DENIED; and

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2) The Clerk of Court shall return Plaintiff's additional pages to him along with this Order and a copy of the Standing Order In Re: Procedural Rules for Electronic Submission of Prisoner Litigation.

IT IS SO ORDERED.

Dated: April 13, 2016

1st Michael J. Seng
UNITED STATES MAGISTRATE JUDGE