

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

HELEN BRINICH-BARNES,
Plaintiff,

Case No. 1:24-cv-01414-KES-SKO

v.

**ORDER DENYING REQUEST FOR
PERMISSION TO FILE
ELECTRONICALLY WITHOUT
PREJUDICE**

PHH MORTGAGE CORPORATION,
Defendant.

(Doc. 17)

_____ /

On March 4, 2025, the Court received a letter from Plaintiff Helen Brinich-Barnes (“Plaintiff”), in which she requests permission to file electronically. (Doc. 17.) Local Rule 133(b)(2) provides that “[a]ny person appearing pro se may *not* utilize electronic filing except with the permission of the assigned Judge or Magistrate Judge.” Instead, “[a]ll parties shall file and serve paper documents as required by applicable Federal Rules of Civil . . . Procedure or by these [Local] Rules.” E.D. Cal. Local Rule 133(b)(2). Nonetheless, a pro se party may “[r]equest to use paper or electronic filing as exceptions from these Rules” if (1) they submit a stipulation between the parties “as provided in [Local Rule] 143;” or (2) “if a stipulation cannot be had,” by a “written motion[] setting out an explanation of reasons for the exception.” E.D. Cal. Local Rule 133(b)(3).

1 Here, Plaintiff has filed a motion setting forth an explanation of the reasons for the
2 requested exception, specifically that an immediate family member underwent a major medical
3 procedure and is in need of her care in Los Angeles. (Doc. 17.) However, Plaintiff has not
4 demonstrated how her presence in Los Angeles would interfere with her ability to comply with
5 the conventional filing requirement as defined in Local Rule 101, which provides that

6 “Conventional Filing” is the filing of a document with the Clerk of Court in paper
7 format. Documents filed conventionally may be filed via mail or in person. Parties
8 that require a conventionally-filed document to be conformed and returned must
submit one additional legible conformed copy, and if mailed, a postage paid return
envelope. If a postage paid envelope is not received, documents cannot be returned.

9 E.D. Cal. Local Rule 101. Because Plaintiff has not established that she would be unable to submit
10 filings via mail, the Court finds that it would be inappropriate at this time to deviate from the Local
11 Rule that “[a]ny person appearing pro se may not utilize electronic filing.” E.D. Cal. Local Rule
12 133(b)(2).

13 Accordingly, the Court DENIES the request (Doc. 17), subject to renewal upon a showing
14 of sufficient reason to justify deviating from Local Rule 133(b)(2).

15
16 IT IS SO ORDERED.

17 Dated: March 7, 2025

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE