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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DANIEL E. GONZALEZ,
Plaintiff,
v.
UNITED STATES OF AMERICA, et al.,
Defendants.

No. 2:15-cv-1997 MCE DB PS

ORDER

Plaintiff is proceeding in this action pro se. This matter was, therefore, referred to the undersigned in accordance with Local Rule 302(c)(21) and 28 U.S.C. § 636(b)(1).

On September 30, 2019, plaintiff filed a letter requesting “access to the . . . case without having to pay fees to Pacer.” (ECF No. 138.) Pursuant to the Electronic Public Access Fee Schedule the court may exempt persons from paying PACER fees. To grant such an exemption the court must find:

that those seeking an exemption have demonstrated that an exemption is necessary in order to avoid unreasonable burdens and to promote public access to information;

that individual researchers requesting an exemption have shown that the defined research project is intended for scholarly research, that it is limited in scope, and that it is not intended for redistribution on the internet or for commercial purposes.


<https://www.uscourts.gov/services-forms/fees/electronic-public-access-fee-schedule>. The user

1 also “must agree not to sell the data obtained as a result, and must not transfer any data obtained
2 as the result of a fee exemption, unless expressly authorized by the court[.]” Id.

3 Here, plaintiff’s letter does not show that an exemption is necessary, as the only
4 justification given for waving PACER fees is that plaintiff “is not a local Sacramento County
5 resident.” (ECF No. 138 at 1.) That is true of many plaintiffs in the Eastern District of
6 California. Moreover, plaintiff is advised that simply proceeding in forma pauperis does not
7 support waiving PACER fees. See Katumbusi v. Gary, No. 2:14-CV-1534 JAM AC, 2014 WL
8 5698816, at *4 (E.D. Cal. Oct. 30, 2014) (“Exemptions from PACER user fees are uncommon.
9 In forma pauperis status alone does not support a request to waive PACER fees.”).

10 Accordingly, IT IS HEREBY ORDERED that plaintiff’s September 30, 2019 request to
11 waive PACER fees (ECF No. 138) is denied.

12 Dated: November 14, 2019

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15 DEBORAH BARNES
16 UNITED STATES MAGISTRATE JUDGE
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