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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

COMMODITY FUTURES TRADING
COMMISSION,

Plaintiff,

v.

FINANCIAL TREE dba FINANCIAL
TREE TRUST; FINANCIAL SOLUTION
GROUP dba FINANCIAL SOLUTION
GROUP TRUST; NEW MONEY
ADVISORS, LLC; THE LAW FIRM OF
JOHN GLENN, P.C.; JOHN D. BLACK
aka JOHN BARNES; CHRISTOPHER
MANCUSO; JOSEPH TUFO; and JOHN
P. GLENN,

Defendants;

SUISSE GROUP (USA) LLC; JMC
INDUSTRIES LLC; LANDES CAPITAL
MANAGEMENT, LLC; KINGDOM
TRUST LLC; HERBERT CASWELL;
ANNE MANCUSO; and TYLER
MANCUSO,

Relief Defendants.

No. 2:20-cv-01184-TLN-AC

**ORDER DENYING APPLICATION FOR
PERMISSION FOR ELECTRONIC
FILING**

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1 The Court is in receipt of Michael Jacobs’s ex parte Application for permission to
2 participate in electronic filing, which Mr. Jacobs emailed to the Court on July 28, 2020. Mr.
3 Jacobs is not a named party in this action but rather submits his Application on behalf of Relief
4 Defendant Kingdom Trust LLC (“Kingdom Trust”).¹

5 The Court has reviewed Mr. Jacobs’s Application and DENIES the request without
6 prejudice because: (1) the Application was not filed in compliance with the conventional filing
7 rules set forth under Local Rule 133(a) and Federal Rule of Civil Procedure 5(d)(3)(B); (2) the
8 emailed Application does not constitute a properly noticed motion or stipulation as required under
9 Local Rule 133(b)(3); and (3) Mr. Jacobs, who is not himself a party to the litigation, does not
10 appear to be a practicing attorney and therefore may not represent Kingdom Trust in the instant
11 matter (L.R. 183(a)).

12 The Eastern District of California is an electronic management/filing district (CM/ECF).
13 Accordingly, attorneys are required to file all documents electronically unless excused by the
14 Court. L.R. 133(a); see also L.R. 183(c). Conversely, unrepresented (pro se) persons are
15 required to file and serve paper documents unless the assigned district judge or magistrate judge
16 grants leave to utilize electronic filing. L.R. 133(a), (b)(2). A pro se party may apply for
17 permission to utilize electronic filing by submitting either a stipulation pursuant to Local Rule
18 143 or, if a stipulation is not possible, a motion which explains the reasons to permit the pro se
19 party to electronically file documents. L.R. 133(b)(3).

20 Although it appears Mr. Jacobs’s Application addresses the substantive requirements of a
21 request to participate in electronic filing, the emailed Application does not comply with the Local
22 Rules’ requirement that a pro se party file paper documents, nor does the Application constitute a
23 stipulation or motion. See L.R. 133(a), (b)(2)–(3); L.R. 183(c).

24 Furthermore, pursuant to this District’s Local Rules, a corporation or other entity, such as
25 Kingdom Trust LLC, may appear only by an attorney. L.R. 183(a). Nothing in the record
26 indicates Mr. Jacobs is a practicing attorney. Indeed, the present request to utilize the Court’s

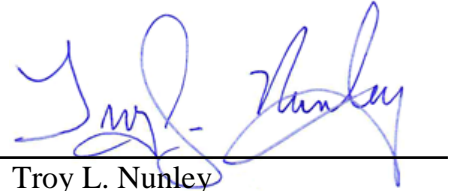
27 ¹ Mr. Jacobs accepted service on behalf of Rudy Handler Jacobs, Principal of Kingdom
28 Trust, on July 8, 2020. (See ECF No. 18.)

1 electronic filing system indicates he is a non-attorney wishing to proceed pro se on behalf of
2 Kingdom Trust. But a non-attorney may not appear on behalf of Kingdom Trust in the instant
3 matter. L.R. 183(a).

4 Accordingly, IT IS HEREBY ORDERED that Mr. Jacobs's Application for permission to
5 participate in electronic filing is DENIED without prejudice.

6 IT IS SO ORDERED.

7 DATED: August 3, 2020

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10 Troy L. Nunley
11 United States District Judge
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