

UNITED STATES DISTRICT COURT
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

EDGAR PERRY,

No. C 13-02369 LB

Plaintiff,

v.

**ORDER REGARDING CERTAIN
DOCUMENTS SUBMITTED BY
PLAINTIFF**

CASHCALL, INC.; UNITED STATES
CONSUMER FINANCIAL PROTECTION
AGENCY,

Defendants.

On October 1, 2013, *pro se* plaintiff Edgar Perry sent the court four envelopes containing numerous documents that presumably relate to his lawsuit against Cashcall, Inc., the Portuguese Fraternal Society of America, First Bank of California, and the State of California. *See* First Amended Complaint, ECF No. 18.¹ (He dropped the United States Consumer Financial Protection Agency as a defendant.) On the outside of these envelopes Mr. Perry wrote, among other things: "For the eyes of Magistrate Judge Laurel Beeler Only." The problem with this is that the court may consider only documents filed in the record and, with certain exceptions, all documents filed in the

¹ Citations are to the Electronic Case File ("ECF") with pin cites to the electronically-generated page numbers at the top of document.

1 record must be served on all other parties to the action.² His statement that the documents be seen
2 only by the court suggest that he does not want them served on Defendants. Moreover, it appears
3 that some of the documents contain Mr. Perry's personal information, and he may not want that
4 information to be made public. See REPRESENTING YOURSELF IN FEDERAL COURT: A HANDBOOK
5 FOR PRO SE LITIGANTS at 1 ("Omit certain personal identifying information from documents
6 submitted to the court for filing. All documents filed with the court will be available to the public
7 on the internet through PACER (Public Access to Court Electronic Records) and the court's
8 Electronic Case Filing (ECF) system. Protect your privacy by leaving off social security and
9 taxpayer identification numbers, names of minor children, dates of birth and financial account
10 numbers."). Finally, at the pleading stage---which is where this case it at---the court generally
11 considers only Mr. Perry's allegations in his complaint and documents attached to it, not additional,
12 extrinsic evidence. In this circumstance, the documents will not be filed in the record (at least at this
13 time) and the court will return them to Mr. Perry via regular mail.

14 The court strongly urges Mr. Perry to review the court's handbook for pro se litigations,
15 REPRESENTING YOURSELF IN FEDERAL COURT: A HANDBOOK FOR PRO SE LITIGANTS, which the
16 court attached to its order dated October 30, 2013, and to make an appointment with JDC Legal
17 Help Center (tel: 415-782-8982), which is located at the United States Courthouse, 450 Golden Gate
18 Avenue, 15th Floor, Room 2796, San Francisco, California, 94102, to receive assistance on this
19 matter.

20 **IT IS SO ORDERED.**

21 Dated: November 5, 2013

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23 _____
24 LAUREL BEELER
United States Magistrate Judge

25 ² Civil Local Rule 7-10 allows parties to file an *ex parte* motion---that is, a motion filed
26 without notice to the opposing party---only if a statute, federal rule, local rule, or standing order
27 authorizes the filing of an *ex parte* motion in the circumstances and the party has complied with the
28 applicable provisions allowing the party to approach the court on an *ex parte* basis. See also
REPRESENTING YOURSELF IN FEDERAL COURT: A HANDBOOK FOR PRO SE LITIGANTS at 34. Mr.
Perry's documents are not a part of or in support of an authorized *ex parte* motion.