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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

GAVIN B. DAVIS,  
  
Plaintiff,  
  
v.  
  
SAN DIEGO DISTRICT ATTORNEY;  
MR. LEONARD TRINH; SAN DIEGO  
POLICE DEPARTMENT; JOHN DOES,  
  
Defendants.

Case No.: 17-CV-654 JLS (BGS)

**ORDER DENYING WITHOUT  
PREJUDICE MOTION TO FILE  
ELECTRONICALLY**

(ECF No. 14)

Presently before the Court is Plaintiff Gavin B. Davis’s Motion to File Electronically. (“CM/ECF Mot.,” ECF No. 14.) After considering Plaintiff’s arguments and the law, the Court **DENIES WITHOUT PREJUDICE** Plaintiff’s CM/ECF Motion.

Generally, “[e]xcept as prescribed by local rule, order, or other procedure, the Court has designated all cases to be assigned to the Electronic Filing System.” Civ. L.R. 5.4(a). With respect to pro se litigants, however, “[u]nless otherwise authorized by the court, all documents submitted for filing to the Clerk’s Office . . . must be in legible, paper form.” Office of the Clerk, United States District Court for the Southern District of California, *Electronic Case Filing Administrative Policies and Procedures Manual* § 2(b) (2017). A pro se party seeking leave to electronically file documents must file a motion and

1 demonstrate the means to do so properly by stating their equipment and software  
2 capabilities in addition to agreeing to follow all rules and policies in the CM/ECF  
3 Administrative Policies and Procedures Manual. *Id.* The manual refers to the court’s  
4 official web site for CM/ECF technical specifications, *id.* at § 1(i), which include a  
5 “computer running Windows or Macintosh”; “[s]oftware to convert documents from a  
6 word processor format to [PDF],” such as Adobe Acrobat PDF Writer (“Adobe Acrobat  
7 7.0 and higher meet the CM/ECF filing requirements”); “PDF compatible word processor  
8 like WordPerfect or Word”; “Internet access supporting a transfer rate of 56kb or higher”;  
9 a compatible browser, such as Firefox 15.x, Internet Explorer 9.x, or Safari 5.1/6.x; and a  
10 “[s]canner to image non-computerized documents 400 pixels per inch (ppi).” United States  
11 District Court, Southern District of California, CM/ECF: General Info,  
12 <https://www.casd.uscourts.gov/CMECF/SitePages/Home.aspx> (last visited June 6, 2017).

13 In the present motion, Plaintiff has not provided any information about his computer  
14 or its software.<sup>1</sup> Without such information, the Court is unable to assess whether his  
15 equipment and software meet the technical specifications required. Accordingly, the Court  
16 **DENIES WITHOUT PREJUDICE** Plaintiff’s CM/ECF Motion (ECF No. 14). *See, e.g.,*  
17 *Hucul v. Mathew-Burwell*, No. 16-CV-1244 JLS (DHB), 2016 WL 3917366, at \*1 (S.D.  
18 Cal. July 20, 2016) (denying without prejudice plaintiff’s CM/ECF motion where plaintiff  
19 demonstrated that his equipment and software met most of the technical specifications, but  
20 where it was unclear whether his internet browser was compatible and whether his  
21 computer had a “PDF compatible word processor like WordPerfect or Word”); *Procopio*  
22 *v. Conrad Prebys Trust*, No. 14CV1651 AJB KSC, 2015 WL 4662407, at \*8 (S.D. Cal.  
23 Aug. 6, 2015) (denying motion for electronic filing access where plaintiff “does not provide  
24 sufficient information [as required in the CM/ECF Administrative Policies and Procedures  
25 Manual] for the Court to grant his request”); *Rojas-Vega v. U.S. Citizenship Immigration*  
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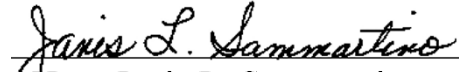
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28 <sup>1</sup> Rather, Plaintiff simply notes that he has been diligent in his filings so far and agrees to the “CASD ECF Policies and Procedures.” (CM/ECF Mot. 2.)

1 *Serv.*, No. 13-CV-172-LAB, 2013 WL 2417937, at \*3 (S.D. Cal. May 31, 2013) (“It is  
2 incumbent on [movant] to show he is able to file documents electronically, and reliably  
3 receive electronic notices, and his motion fails to do that.”).

4 **IT IS SO ORDERED.**

5 Dated: June 20, 2017

  
6 Hon. Janis L. Sammartino  
7 United States District Judge

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