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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

HUGH BANCROFT,

Plaintiff,

v.

KELLY COURTNEY,

Defendants.

Case No.: 17-CV-864 JLS (JMA)

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

(ECF No. 5)

Presently before the Court is Defendant Kelly Courtney’s Motion by Pro Se Defendant to Request Permission to File Papers Electronically. (“CM/ECF Mot.,” ECF No. 5.) After considering Defendant’s arguments and the law, the Court **DENIES WITHOUT PREJUDICE** Defendant’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

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

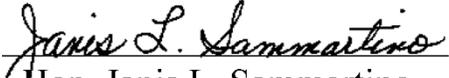
14 In the present motion, Defendant has not provided any information about her
15 computer or its software.¹ Without such information, the Court is unable to assess whether
16 her equipment and software meet the required technical specifications. Accordingly, the
17 Court **DENIES WITHOUT PREJUDICE** Defendant’s CM/ECF Motion (ECF No. 5).
18 *See, e.g., Hucul v. Mathew-Burwell*, No. 16-CV-1244 JLS (DHB), 2016 WL 3917366, at
19 *1 (S.D. Cal. July 20, 2016) (denying without prejudice plaintiff’s CM/ECF motion where
20 plaintiff demonstrated that his equipment and software met most of the technical
21 specifications, but where it was unclear whether his internet browser was compatible and
22 whether his computer had a “PDF compatible word processor like WordPerfect or Word”);
23 *Procopio v. Conrad Prebys Trust*, No. 14CV1651 AJB KSC, 2015 WL 4662407, at *8
24 (S.D. Cal. Aug. 6, 2015) (denying motion for electronic filing access where plaintiff “does
25 not provide sufficient information [as required in the CM/ECF Administrative Policies and
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27 ¹ Rather, Defendant simply notes that “[g]ood cause exists to allow Defendant to file papers with the Court
28 electronically [because] Defendant lives in Florida and cannot file papers in person at the Court.”
(CM/ECF Mot. 1.)

1 Procedures Manual] for the Court to grant his request”); *Rojas-Vega v. U.S. Citizenship*
2 *Immigration Serv.*, No. 13-CV-172-LAB, 2013 WL 2417937, at *3 (S.D. Cal. May 31,
3 2013) (“It is incumbent on [movant] to show he is able to file documents electronically,
4 and reliably receive electronic notices, and his motion fails to do that.”).

5 **IT IS SO ORDERED.**

6 Dated: June 20, 2017


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

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