

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Boyd N. Boland

Civil Action No. 10-cv-01853-WYD-BNB

SANFORD B. SCHUPPER,

Plaintiff,

v.

ROBYN CAFASSO, in his individual and official capacity,
WILLIAM EDIE, in his individual and official capacity,
JEANIE SMITH, in her individual and official capacity,
DAVID ZOOK, in his individual and official capacity,
JOHN NEWSOME, in his individual and official capacity,
DAN MAY, in his individual and official capacity,
LINDA DIX, in her individual and official capacity,
RAYMOND SANTISTEVAN, in his individual and official capacity,
RONALD WILKINS, in his individual and official capacity,
ANDREA WALTON, in her individual and official capacity,
DEBBI PARR, in her individual and official capacity,
JOHN RUSZCZYK in his individual and official capacity, and
JOHN DOE, JANE DOES, DOES 1-X,

Defendants.

ORDER

This matter arises on the plaintiff's **Motion for Copies of Docket and Documents** [Doc. #91, filed 09/08/2011] (the "Motion"). The Motion is GRANTED IN PART and DENIED IN PART.

The plaintiff is currently incarcerated by the Colorado Department of Corrections at the Fremont Correctional Facility. On March 2, 2011, this case was administratively closed pursuant to D.C.COLO.LCivR 41.2, pending a showing of good cause to reopen by the plaintiff after his state proceedings are final [Doc. #71]. The plaintiff requests that the court provide to

him, without charge, “copies of his Complaint and Amended Complaints, Responses, Pleadings and Motions by Defendants and a copy of the Docket.”

The Court does not provide a free copy service. The plaintiff may, however, request copies directly from the Clerk’s Office. All copies are 50 cents per sheet. A notice of the cost of the copies will be issued after the cost can be determined. The copies will be sent on receipt of full payment.

In addition, I note that the plaintiff has not properly served the Motion on the defendants.

The plaintiff’s Certificate of Service states:

I hereby affirm that to the best of Plaintiff’s knowledge, the Defendants and their counsel receive copies of all filings, motions & pleadings in this matter via ECF and therefore no paper copies have been sent via US mail from Plaintiff to Defendants and or their counsel.

The plaintiff may not effect service in this manner. The Federal Rules of Civil Procedure provide specific methods of service. Fed. R. Civ. P. 5(b)(2). Service through the court’s electronic filing system is not an permitted method of service.

IT IS ORDERED:

- (1) The plaintiff’s request for free copies is DENIED;
- (2) The Clerk of the Court is directed to cause a copy of the docket sheet to be sent to the plaintiff at his address of record; and
- (3) In the future, all papers shall be served on the defendants in compliance with Fed. R. Civ. P. 5. Failure to comply with Rule 5 may result in sanctions, including dismissal of this case.

Dated September 19, 2011.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge