

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

**RHONDA FLEMING,**

**Plaintiff,**

**v.**

**MEDICARE FREEDOM OF  
INFORMATION GROUP, et al.**

**Defendants.**

**Civil Action No.  
1:15-cv-01135 (EGS/GMH)**

**MEMORANDUM OPINION AND ORDER**

Plaintiff has filed a “Motion for Court Order for Compliance with FRCVP Rule 5/Service of Motions” [Dkt. 143], in which she complains that Defendants have not served her with certain submissions in this case. She asks the Court to “order the Defendants’ counsel to comply with Rule 5 and perform service of all pleadings by U.S. Mail to the Plaintiff, and that their response to Document No. 136 [Plaintiff’s “Motion for Relief from Two Judgments Pursuant to Rule 60(d)(3) and the All Writs Act,” filed April 20, 2018] . . . be sent to [the email account of her prison counselor].” [Dkt. 143 at 2]. The motion is denied for two independent reasons.

First, pursuant to an order entered in this case on September 1, 2016, Plaintiff must seek permission from the Court before filing motions in this case. Minute Entry dated Sept. 1, 2016. As she admits, she did not seek such permission to file this motion. [Dkt. 144 at 1]. That is sufficient reason to deny it. *See, e.g., Fleming v. Medicare Freedom of Information Grp.*, \_\_\_ F. 3d \_\_\_, \_\_\_, 2018 WL 1901803, at \*1 (D.D.C. 2018) (“Plaintiff did not seek or receive permission to file these motions, so they may be denied on that basis alone.”).

In addition, motions seeking an order requiring compliance with service requirements are “addressed on a case-by-case basis,” paying attention to the “important role” that “context plays.” *Hernandez v. Gates*, No. CV00-7163 (C.D. Cal. Feb. 5, 2004). Here, since Plaintiff filed this motion, Defendants have properly served her at her address of record and, indeed, gone farther than the Rules require and emailed their submissions to her prison counselor. [Dkt. 145 at 10; Dkt. 146 at 13]. There does not appear to be any need, therefore, to order compliance. Nevertheless, the Court will remind Defendants that, in light of Plaintiff’s frequent transfers among Bureau of Prisons facilities, they must be careful to serve Plaintiff at her address of record, and remind Plaintiff that she is obligated to file a notice of address change with the Clerk of Court within fourteen days of any change of residence, including any transfer between Bureau of Prisons facilities.

For the foregoing reasons, it is hereby

**ORDERED** that Plaintiff’s Motion for Court Order [Dkt. 143] is **DENIED**.

**SO ORDERED.**

Date: May 25, 2018



G. Michael Harvey  
2018.05.25  
13:28:44 -04'00'

---

G. MICHAEL HARVEY  
UNITED STATES MAGISTRATE JUDGE