

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

MARIAMA OGILVIE,

Plaintiff,

v.

Case No: 8:15-cv-2477-T-36JSS

RUDOLPH MILLSAPS, RUDOLPH  
MILLSAPS EXPRESS COMPANY,  
STRATFORD INSURANCE COMPANY,  
JOHN DOE '35;1, JOHN DOE '35;2,  
GEICO CASUALTY COMPANY, GEICO  
INDEMNITY COMPANY, GEICO  
INSURANCE COMPANY and  
GOVERNMENT EMPLOYEES  
INSURANCE COMPANY,

Defendants.

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**ORDER**

THIS MATTER is before the Court on Plaintiff's Motion to File Documents Electronically, to Use the Law Library, for the U.S. Marshalls to Serve Summons and Complaint on Defendants, and Request Waiver of PACER Fees ("Motion"). (Dkt. 3.) In the Motion, Plaintiff requests that she be allowed access to the Court's electronic filing system ("CM/ECF") to file and receive documents electronically in this case, to access the Court's law library to conduct research, and to have the Public Access to Court Electronic Records ("PACER") fees waived to conduct additional research. Plaintiff also requests that the Court grant her Motion for Leave to Proceed *in Forma Pauperis* and order the U.S. Marshal to serve the Complaint and summons in this case. (Dkt. 3.)

On October 20, 2015, Plaintiff filed a Complaint against Defendants alleging negligence, negligent supervision, bad faith, breach of contract, and violations of the Bad Business Practices Act stemming from a motor vehicle accident in which she alleges she was injured. (Dkt. 1.)

Plaintiff also filed a Motion for Leave to Proceed *in Forma Pauperis*, requesting that the filing fee in this case be waived due to economic difficulties. (Dkt. 2.) On October 26, 2015, the Court denied Plaintiff's Motion for Leave to Proceed *in Forma Pauperis* because Plaintiff failed to file an Affidavit of Indigency and failed to sign the Application to Proceed in District Court Without Prepaying Fees or Costs. (Dkt. 6.)

Courts may exempt indigent litigants from payment of the user access fee for PACER. U.S. Courts, *Electronic Public Access Fee Schedule* (Aug. 20, 2014), <http://www.uscourts.gov/services-forms/fees/electronic-public-access-fee-schedule>. In considering whether to grant an exemption, courts must find that the individual seeking an exemption has demonstrated that an exemption is necessary to avoid unreasonable burdens and to promote access to information. *Id.* Further, the court may authorize a pro se party to file electronically using the Court's electronic filing system. M.D. Fla., *Administrative Procedures for Electronic Filing* 1–2 (June 5, 2015), [https://www.flmd.uscourts.gov/CMECF/CM-ECF\\_ADMINISTRATIVE\\_PROCEDURES\\_6-5-2015.pdf](https://www.flmd.uscourts.gov/CMECF/CM-ECF_ADMINISTRATIVE_PROCEDURES_6-5-2015.pdf).

In this case, the Court finds that Plaintiff is entitled to access CM/ECF to file and receive documents electronically. The Court further finds that a waiver of the PACER fees will promote Plaintiff's access to the electronic records in this case. However, because Plaintiff's Motion for Leave to Proceed *in Forma Pauperis* was denied, the Court denies as moot Plaintiff's request to proceed *in forma pauperis*. Plaintiff may use the Court's library during regular business hours,

but pro se litigants are not entitled to use the library's computer equipment or Internet access. Accordingly, it is

**ORDERED:**

1. Plaintiff's Motion to File Documents Electronically, to Use the Law Library, for the U.S. Marshalls to Serve Summons and Complaint on Defendants, and Request Waiver of PACER Fees (Dkt. 3) is **GRANTED** in part and **DENIED** in part.
2. Plaintiff's request to access the Court's electronic filing system is **GRANTED**. To fully access the Court's electronic filing system, Plaintiff must have Internet access, an e-mail account, PDF capabilities, and a PACER account. Plaintiff shall register for electronic filing by visiting the CM/ECF link on the Court's website at [www.flmd.uscourts.gov](http://www.flmd.uscourts.gov). When filling out the request for a CM/ECF log in and password, Plaintiff should insert 0000000 (seven zeros) when prompted to fill in a Bar number. Plaintiff may contact the Clerk's Office (813-301-5400) if assistance is needed in registering for CM/ECF. Once registered, Plaintiff shall complete the CM/ECF program tutorial on the Court's website. Plaintiff also shall become familiar with and follow the policies and procedures set forth in the Administrative Procedures for Electronic Filing, which is available under the CM/ECF link on the Court's website. In alternative to filing electronically, Plaintiff is permitted to mail hard copies of her filings to the Clerk of the Court instead of filing in person at the courthouse.
3. Plaintiff's request to waive the PACER fee is **GRANTED**. However, Plaintiff's exemption from such fees shall cease upon the closing of this case.
4. Plaintiff's request to grant her Motion for Leave to Proceed *in Forma Pauperis* is **DENIED** as moot.

5. Plaintiff's request to use the Court's law library is **GRANTED**. However, Plaintiff may only use the law library during regular business hours and may not use the computer equipment or Internet access.

**DONE** and **ORDERED** in Tampa, Florida on October 30, 2015.

  
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JULIE S. SNEED  
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

Counsel of Record  
Unrepresented Party