

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

SCOTT A. WITZKE,

Plaintiff

v.

Case No. 2:16-13753

District Judge Arthur J. Tarnow

Magistrate Judge Anthony P. Patti

RUSS MARLAN and  
ALEX J. SMITH,

Defendants.

---

**ORDER GRANTING PLAINTIFF'S *EX PARTE* MOTION TO WAIVE  
FEES FOR USER ACCESS TO PACER (DE 35)**

Public Access to Court Electronic Records (PACER) “is an electronic public access service that allows users to obtain case and docket information online from federal appellate, district, and bankruptcy courts, and the PACER Case Locator.” See [www.pacer.gov](http://www.pacer.gov). Currently before the Court is the above-described motion, which was filed on October 20, 2017 and in which Plaintiff relies upon *Ogilvie v. Millsaps*, No. 8:15-CV-2477-T-36JSS, 2015 WL 6688343, at \*1 (M.D. Fla. Oct. 30, 2015) (“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.”) (citing [www.pacer.gov](http://www.pacer.gov)).

Upon consideration, Plaintiff's *ex parte* motion to waive fees for user access to PACER (DE 35) is **GRANTED**. Plaintiff currently resides in a halfway house (DE 35 at 4), and the Court finds good cause for the fee waiver requested in this particular case.

**IT IS SO ORDERED.**

Dated: November 14, 2017

s/Anthony P. Patti  
Anthony P. Patti  
UNITED STATES MAGISTRATE JUDGE

**Certificate of Service**

I hereby certify that a copy of the foregoing document was sent to parties of record on November 14, 2017, electronically and/or by U.S. Mail.

s/Michael Williams  
Case Manager for the  
Honorable Anthony P. Patti