

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

KERWIN D. SCOTT,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:13CV255 TIA
)	
TERRY RUSSELL, et al.,)	
)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the Court on “Plaintiff Request Leave of the Court - Plaintiff’s ‘Supplemental’ Pleading - Plaintiff Request the Court to Direct the Defendants to Respond” (received by the Court on July 1, 2013).

The undersigned notes that the pleading fails to include a certificate of service so as to demonstrate when, or if , Defendants were served with “Plaintiff Request Leave of the Court - Plaintiff’s ‘Supplemental’ Pleading - Plaintiff Request the Court to Direct the Defendants to Respond.” Fed. R. Civ. P. 5(a)(1) (general requirement of service of all papers on all parties). Rule 5(d) requires that all papers include a certificate of service to reflect that a copy was sent to opposing counsel as required by Rule 5(a), Fed. R. Civ. P. Accordingly, “Plaintiff Request Leave of the Court - Plaintiff’s ‘Supplemental’ Pleading - Plaintiff Request the Court to Direct the Defendants to Respond” should be denied without prejudice. Accordingly,

IT IS HEREBY ORDERED that “Plaintiff Request Leave of the Court - Plaintiff’s ‘Supplemental’ Pleading - Plaintiff Request the Court to Direct the Defendants to Respond” is returned to Plaintiff without filing.

IT IS FURTHER ORDERED that in the future, Plaintiff shall include a certificate of service¹ on each separate pleading he files in this matter as stated in this Order, or the pleading will be returned to Plaintiff without filing.

Dated this 3rd day of July, 2013.

/s/Terry I. Adelman
UNITED STATES MAGISTRATE JUDGE

¹An acceptable certificate of service could state, “I certify that a copy of the foregoing was mailed, postage prepaid, in the U.S. Mail on this ____ day of August, 2010, to: H. Anthony Relys, Attorney General of Missouri, P.O. Box 861, St. Louis, MO 63188.” A certificate of service in approximately this format must be included on every pleading submitted to the Court for filing.