

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

MICHAEL RECH,

Plaintiff,

v.

COUNTY OF MONROE, et al.,

Defendants.

DECISION & ORDER

17-CV-6418FPG

On April 29, 2021, the plaintiff, Michael Rech, filed a motion for permission for electronic case filing through the Court's system ("CM/ECF"). (Docket #88). For the reasons that follow, the motion is granted.

Rule 5 of the Federal Rules of Civil Procedure provides that a *pro se* litigant "may file electronically only if allowed by court order or by local rule." Fed. R. Civ. P. 5(d)(3)(B)(i). The Local Rules of Civil Procedure incorporate by reference the Court's CM/ECF Administrative Procedures Guide ("the Guide"), which in turn provides the requirements and procedures for electronic filing. *See* W.D.N.Y. Local Rule 5.1(a). The Guide allows the Court, in its discretion, to "grant a *pro se* litigant who demonstrates a willingness and capability to file documents electronically, permission to register to do so." W.D.N.Y. Administrative Procedures Guide for Electronic Filing, Administrative Procedures. Such permission, however, may be "revoked at any time." *Id.*

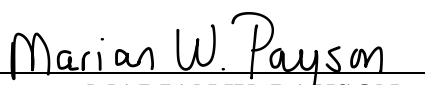
Rech requests permission to file electronically due to health concerns, as well as his professed difficulty in timely notifying the Court of his objections to certain of the defendants' requests. (Docket # 88, 89). Having considered Rech's submission, his request for

permission to file electronically in this case through CM/ECF (**Docket # 88**), is **GRANTED**, subject to the following conditions:

Rech shall (1) complete and file with the Clerk of the Court the required CM/ECF registration form, as outlined in Section 1(C) of the Guide;¹ (2) contact the Clerk of the Court's Operations Manager, Elizabeth Burger at (716) 551-1771, to verify the email address for his receipt of electronic notices of filings in this case; (3) obtain instructions on accessing and viewing documents received in email notifications; and (4) familiarize himself with and abide by the rules and procedures in the Guide. As noted above, this permission may be revoked by the Court at any time and the Court will not hesitate to revoke permission if the privilege is abused or if Rech otherwise fails to abide by the pertinent rules and procedures.

On or before, **June 30, 2021**, Rech shall file an affirmation in this matter in which he affirms that (1) he has satisfied the above conditions, including receiving instructions on accessing and viewing documents received in email notifications; and (2) he understands that he will no longer receive documents by regular mail. Until the affirmation is filed, defendants shall continue to mail to the plaintiff copies of all documents and attachments filed through CM/ECF.

IT IS SO ORDERED.


MARIAN W. PAYSON
United States Magistrate Judge

Dated: Rochester, New York
May 25, 2021

¹ The registration form is available on the Court's website at <https://www.nywd.uscourts.gov/sites/nywd/files/combinedRegistrationForm2020.pdf>