

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL ACTION NO. 3:15-CV-00120-RJC-DSC**

**SHARON THOMAS,** )  
 )  
 **Plaintiff,** )  
 )  
 **v.** )  
 )  
 **STATE OF NORTH CAROLINA, et al.,** )  
 )  
 **Defendants.** )

**ORDER**

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**THIS MATTER** is before the Court on Plaintiff’s “Motion to Amend Certificate of Service and Notice of Returned Mail,” Doc. 9, “Motion to File Pleadings Using CM/ECF or the Courts Electronic Filing System and to Receive Court Filings by Electronic E-mail,” Doc. 28, “Motion to Amend Certificates of Service LCvR 7.1,” Doc. 29, “Motion to Amend Certificates of Service LCvR 7.1,” Doc. 30, and “Motion to Amend Certificates of Service LCvR 7.1,” Doc. 31.

Pursuant to Rule 5(b)(2) of the Federal Rules of Civil Procedure,

- (2) Service in General. A paper is served under this rule by:
- (A) handing it to the person;
  - (B) leaving it:
    - (i) at the person's office with a clerk or other person in charge or, if no one is in charge, in a conspicuous place in the office; or
    - (ii) if the person has no office or the office is closed, at the person's dwelling or usual place of abode with someone of suitable age and discretion who resides there;
  - (C) mailing it to the person's last known address--in which event service is complete upon mailing;
  - (D) leaving it with the court clerk if the person has no known address;
  - (E) sending it by electronic means if the person consented in writing--in which event service is complete upon transmission, but is not effective if the serving party learns that it did not reach the person to be served; or

(F) delivering it by any other means that the person consented to in writing-  
-in which event service is complete when the person making service delivers  
it to the agency designated to make delivery.

Fed. R. Civ. P. 5(b)(2).

Pursuant to Local Rule 5.3(C), “[a] certificate of service must be included with all documents, including those filed electronically, indicating thereon that service was or will be accomplished through the Notice of Electronic Filings for parties and counsel who are registered users and indicating how service was or will be accomplished as to non-registered users. Administrative Procedures weblink” LCvR 5.3(C).

This Court’s “Administrative Procedures Governing Filing and Service by Electronic Means” states in section I, subsection A that “[p]arties proceeding pro se shall not file electronically.” In addition, section II, subsection D states that a party proceeding pro se is not allowed to file electronically but is allowed to receive notice of filings via email upon request.

Based upon the foregoing, Plaintiff may receive e-mail notification of filings. However, Plaintiff is not allowed to file any documents electronically. Plaintiff has not attached to her Motions any documentation that counsel have agreed to be served via e-mail. Therefore, pursuant to Rule 5(b)(2), the Court will deny Plaintiff’s Motions to Amend Her Certificates of Service.

IT IS HEREBY ORDERED that

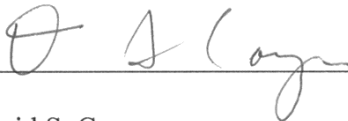
1. Plaintiff’s “Motion to Amend Certificate of Service and Notice of Returned Mail,” Doc. 9, “Motion to Amend Certificates of Service LCvR 7.1,” Doc. 29, “Motion to Amend Certificates of Service LCvR 7.1,” Doc. 30, and “Motion to Amend Certificates of Service LCvR 7.1,” Doc. 31 are **DENIED**.
2. Plaintiff’s “Motion to File Pleadings Using CM/ECF or the Courts Electronic Filing System and to Receive Court Filings by Electronic E-mail,” Doc. 28, is **GRANTED**

**IN PART and DENIED IN PART.** The Clerk is directed to add Plaintiff's email address, [tee2thomas@gmail.com](mailto:tee2thomas@gmail.com), for her to receive notice via e-mail whenever a pleading or other document is filed electronically.

3. The Clerk is directed to send copies of this Order to the pro se Plaintiff; to defense counsel; and to the Honorable Robert J. Conrad, Jr.,

**SO ORDERED.**

Signed: September 4, 2015



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David S. Cayer  
United States Magistrate Judge

