

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Jerome W. James,)	C/A No. 0:11-1562-DCN-PJD
)	
Plaintiff,)	
)	
v.)	ORDER
)	
A. J. Padula, <i>Warden</i> ; Nolan, <i>Associate Warden</i> ; Lt. Commander; Major Dean; Lt. Durant, <i>Contraband</i> ; Cpt. Cribb; Sgt. Roach; Nurse McDonald; Ms. Cox, <i>Mental Health</i> ,)	
)	
Defendants.)	
)	

This is a civil action filed by a local prisoner. Under Local Civil Rule 73.02(B)(2) of the United States District Court for the District of South Carolina, pretrial proceedings in this action have been referred to the assigned United States Magistrate Judge.

On September 22, 2011, the court received an envelope from Plaintiff which included various documents and a dead spider wrapped in paper and plastic and labeled as an exhibit. The Federal Rules of Civil Procedure and the Local Civil Rules for the United States District Court for the District of South Carolina provide for the filing of pleadings, documents, and other papers with the Clerk of Court. See Fed. R. Civ. P. 5(d)(2)(A); see also Local Civil Rule 5.02 DSC. Plaintiff's submission of a dead spider is not a pleading, document, or other paper which can be filed by the Clerk of Court.

TO THE CLERK OF COURT:

The Clerk of Court is directed to return the dead spider to Plaintiff.

TO PLAINTIFF:

Evidence is not appropriate at this initial stage of the proceedings. Therefore, Plaintiff is directed to refrain from submitting any further physical samples to the Clerk of Court. Failure to comply may result in sanctions, including but not limited to dismissal the plaintiff's case and/or contempt of court.

IT IS SO ORDERED.

September 26, 2011
Columbia, South Carolina



Paige J. Gossett
UNITED STATES MAGISTRATE JUDGE