

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

Richard Livingston, *also known as Richard H. Livingston*,  
Plaintiff/Counter-Defendant,  
v.  
Robert Sackett, *personally, & as Personal Representative of the Estate of Phyllis Elaine Busby Livingston*,  
Defendant/Counter-Plaintiff.

C/A No. 3:16-1591-MGL-PJG

**ORDER**

Plaintiff Richard Livingston, a self-represented litigant, filed this diversity action purporting to assert various state law claims. On April 6, 2017, the court received a voluminous filing from Livingston. Livingston represents that the filings consists of exhibits to support a motion for summary judgment that he intends to file as well as a response in opposition to the defendant’s motion for summary judgment that he also intends to file.<sup>1</sup> However, review of these exhibits reveal that they fail to comply with Federal Rule of Civil Procedure 5.2. For example, the documents appear to contain social security numbers and bank account information of individuals other than Livingston. Livingston has been previously advised of the privacy protection afford by Rule 5.2.<sup>2</sup> (ECF Nos. 18 at 4, 24 at 3.) If Livingston wishes for the court to consider these exhibits, he shall

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<sup>1</sup> The court notes that the deadline for filing dispositive motions was February 6, 2017 and following an extension, Livingston’s response to the defendant’s motion for summary judgment was due March 31, 2017.

<sup>2</sup> The court again attaches this warning to the instant Order.

*PJG*

file properly redacted ones on or before April 24, 2017. Failure to do so may result in the exhibits being stricken from consideration and the record.

**IT IS SO ORDERED.**

April 10, 2017  
Columbia, South Carolina



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Paige J. Gossett  
UNITED STATES MAGISTRATE JUDGE

*Plaintiff's attention is directed to the important WARNING on the following page.*

## IMPORTANT INFORMATION ...PLEASE READ CAREFULLY

### WARNING TO PRO SE PARTY OR NONPARTY FILERS

ALL DOCUMENTS THAT YOU FILE WITH THE COURT WILL BE AVAILABLE TO THE PUBLIC ON THE INTERNET THROUGH PACER (PUBLIC ACCESS TO COURT ELECTRONIC RECORDS) AND THE COURT'S ELECTRONIC CASE FILING SYSTEM. **CERTAIN *PERSONAL IDENTIFYING INFORMATION* SHOULD NOT BE INCLUDED IN, OR SHOULD BE REMOVED FROM, ALL DOCUMENTS BEFORE YOU SUBMIT THE DOCUMENTS TO THE COURT FOR FILING.**

Rule 5.2 of the Federal Rules of Civil Procedure provides for privacy protection of electronic or paper filings made with the court. Rule 5.2 applies to ***ALL*** documents submitted for filing, including pleadings, exhibits to pleadings, discovery responses, and any other document submitted by any party or nonparty for filing. Unless otherwise ordered by the court, a party or nonparty filer should not put certain types of an individual's personal identifying information in documents submitted for filing to any United States District Court. If it is necessary to file a document that already contains personal identifying information, the personal identifying information should be "**blacked out**" or **redacted** prior to submitting the document to the Clerk of Court for filing. A person filing any document containing their own personal identifying information **waives** the protection of Rule 5.2(a) by filing the information without redaction and not under seal.

#### 1. Personal information protected by Rule 5.2(a):

**(a) Social Security and Taxpayer identification numbers.** If an individual's social security number or a taxpayer identification number must be included in a document, the filer may include only the last four digits of that number.

**(b) Names of Minor Children.** If the involvement of a minor child must be mentioned, the filer may include only the initials of that child.

**(c) Dates of Birth.** If an individual's date of birth must be included in a document, the filer may include only the year of birth.

**(d) Financial Account Numbers.** If financial account numbers are relevant, the filer may include only the last four digits of these numbers.

2. Protection of other sensitive personal information – such as driver's license numbers and alien registration numbers – may be sought under Rule 5.2(d) (filings made under seal) and (e) (protective orders).