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6 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 DONALD L. CALVIN,

9 Plaintiff,

10 v.

11 BILL ELFO, et al.,

12 Defendant.

CASE NO. 2:20-cv-00866-RSM-BAT

**ORDER STRIKING MOTION FOR
RETURN OF PAPERS AND
EXTENSION AND DIRECTING
PLAINTIF TO UTILIZE
ELECTRONIC FLING**

13 On November 9, 2020, the Court received via U.S. Mail plaintiff's motions for
14 emergency return of his papers, and extensions of the time to respond to defendants and to
15 complete discovery. Dkt. 26.

16 Plaintiff is a prisoner of the Washington State Department of Corrections. Since plaintiff
17 initiated this lawsuit in May 2020, he has disregarded the Court's General Order that requires
18 him to file all pleadings electronically. Plaintiff submitted his proposed complaint on May 28,
19 2020 via the U.S. Mail. Dkt. 1. On June 9, 2020, plaintiff was advised he must comply with the
20 Court's General Order and file all pleadings pursuant to the Prisoner E-Filing Initiative. Despite
21 this advisement on July 9, 2010, the Court received via U.S. Mail a letter from plaintiff about his
22 deficient IFP application. Dkt. 5. On July 10, 2020, the Court received a motion from plaintiff
23 via U.S. Mail requesting he relieved from filing pleadings electronically. Dkt. 6.

ORDER STRIKING MOTION FOR RETURN
OF PAPERS AND EXTENSION AND
DIRECTING PLAINTIF TO UTILIZE
ELECTRONIC FLING - 1

1 On July 13, 2020, the Clerk issued another advisement directing plaintiff to comply with
2 the E-Filing Initiative and to file all pleadings electronically. On July 17, 2020, the Court denied
3 plaintiff's motion to be relieved from the requirement he file all pleadings electronically. Dkt.
4 10. On July 30, 2020, the Court received via the U.S. Mail, a letter from plaintiff and a motion to
5 reconsider the Court's order that plaintiff must file all of his pleadings electronically. Dkts. 12,
6 13. The Clerk again advised plaintiff he must file all pleadings electronically. On August 13,
7 2020, the Court denied plaintiff's motion for reconsideration. Dkt, 20. The Court received the
8 present motion on November 9, 2020 by U.S. Mail. Dkt. 26.

9 Plaintiff's present motion directly violates the Court's General Order requiring plaintiff
10 to file all pleadings electronically, and the Court's specific order denying plaintiff's motion to be
11 relieved of the requirement and directing him to file his pleadings using the E-Filing Initiative.
12 Dkt. 10. Prior to filing the present motion, plaintiff was fully aware he must file all of his
13 pleadings using the E-Filing Initiative procedures having been so advised by the clerk on
14 multiple occasions and also by filing motions that he be relieved of the requirement. Despite this,
15 plaintiff has consistently disregarded the clerk's advisements and the Court's Order. A party's
16 disobedience of a specific and definite court order is contemptuous and may expose that party to
17 sanctions.

18 The Court accordingly ORDERS:

19 (1) The Clerk shall STRIKE plaintiff's improperly filed motion, Dkt. 26.

20 (2) Plaintiff must file all pleadings in conformity with the District's E-filing
21 Initiative.

22 (3) All pleadings filed by plaintiff that fail to conform with the District's E-filing
23 initiative shall be summarily stricken.

ORDER STRIKING MOTION FOR RETURN
OF PAPERS AND EXTENSION AND
DIRECTING PLAINTIF TO UTILIZE
ELECTRONIC FLING - 2

1 (4) The continued violation of this order that plaintiff file all pleadings be filed in
2 conformity with the District's E-Filing Initiative may be grounds to impose sanctions against
3 plaintiff.

4 (5) The Clerk shall provide a copy of this order to the parties and assigned District
5 Judge.

6 DATED this 12th day of November 2020.

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BRIAN A. TSUCHIDA
Chief United States Magistrate Judge