

GENERAL FILING PROCEDURES



U. S. District Court

Southern District of California

John Morrill

Clerk of Court

The Clerk's Office for the United States District Court for the Southern District of California is pleased to provide our customers with this General Filing Procedures Manual. We will continue to update the manual as rules change. We hope you will find it a valuable tool.

For those of you who are new to federal court, this manual is an effort to provide the public and attorneys with an informational package to assist in dealings with the court. We hope the following pages answer any questions you may have concerning such areas as preparation of documents, filing procedures, and the addresses of all departments of the court. We believe this manual, when used in conjunction with the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure, the Local Rules for the Southern District of California and the Electronic Case Filing Administrative Policies and Procedures Manual, will not only be beneficial to those of you who may be familiar with the court, but also the paralegals, secretaries, and pro se litigants who have had little or no contact with the federal court system.

This manual is intended only as a general guide. It does not take the place of the Federal Rules of Civil, Criminal or Appellate Procedure, the Local Rules, the Electronic Case Filing Administrative Policies and Procedures Manual, or individual chambers rules. It does not relieve litigants of the responsibility of complying with the court's Local Rules or Federal Rules of Procedures, or any other obligation imposed by the law.

We will do everything possible to ensure prompt efficient service. We are here to answer any questions that you may have. Please feel free to contact us for assistance.

Sincerely,
John Morrill
Clerk of Court

GENERAL INFORMATION ABOUT THE COURT

HOURS

The Clerk's Office is open to the public Monday through Friday from 8:30 a.m. until 4:30 p.m. Files can be reviewed from 8:30 a.m. until 4:30 p.m.

LOCATION

Clerk of Court United States District Court Southern District of California 333 West Broadway, Suite 420 San Diego, CA 92101 (619) 557-5600	Clerk of Court United States District Court Southern District of California 2003 W. Adams Avenue, Suite 220 El Centro, CA 92243 (760) 339-4242
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JURISDICTION

The Southern District of California is comprised of San Diego and Imperial Counties.

LEGAL HOLIDAYS

- New Year's Day – January 1
- Martin Luther King, Jr. Day – third Monday in January
- Presidents' Day – third Monday in February
- Memorial Day – last Monday in May
- Independence Day – July 4
- Labor Day – first Monday in September
- Columbus Day – second Monday in October
- Veterans' Day – November 11
- Thanksgiving Day – fourth Thursday in November
- Christmas Day – December 25
- Any other day declared a holiday by federal statute, executive order, or by the Chief District Judge

Holidays that fall on Saturday will be observed the preceding Friday. Holidays that fall on Sunday will be observed the following Monday.

JUDGES

The mailing address for district and magistrate judges in San Diego is:

For judges located in the Edward J. Schwartz U.S. Courthouse

United States District Court
Attention: (judge or magistrate judge name)
221 West Broadway, (Suite number)
San Diego, CA 92101

For judges located in the James M. Carter and Judith N. Keep U.S. Courthouse

United States District Court
Attention: (judge or magistrate judge name)
333 West Broadway, (Suite number)
San Diego, CA 92101

The mailing address for Magistrate Judge Peter C. Lewis in El Centro is:

United States District Court
Southern District of California at El Centro
2003 W. Adams Ave, Suite 220
El Centro, CA 92243

Except as otherwise provided by law, attorneys or parties to any action or proceeding must refrain from writing letters to the judge, or otherwise communicating with the judge, unless opposing counsel is present. All matters to be called to a judge's attention should be formally submitted. Except as authorized by the judge, attorneys must not send copies to the judge of letters sent to others (Civil Local Rule 83.9).

The mailing address for the Clerk's Office is:

Clerk of the Court United States District Court Southern District of California 333 West Broadway, Suite 420 San Diego, CA 92101 (619) 557-5600	Clerk of Court United States District Court Southern District of California 2003 W. Adams Avenue, Suite 220 El Centro, CA 92243 760-339-4243
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DISTRICT JUDGES IN ORDER OF SENIORITY

Active Judges

<p>Chambers of: Chief Judge Larry Alan Burns [LAB] Suite 1410 - Courtroom 14A (14th Floor - Carter/Keep Courthouse) (619) 557-5874 efile_burns@casd.uscourts.gov</p>	<p>Chambers of: Judge Cathy Ann Bencivengo [CAB] Suite 1510 - Courtroom 15A (15th Floor - Carter/Keep Courthouse) (619) 557-7688 efile_bencivengo@casd.uscourts.gov</p>
<p>Chambers of: Judge Dana M. Sabraw [DMS] Suite 1310 - Courtroom 13A (13th Floor - Carter/Keep Courthouse) (619) 557-6262 efile_sabraw@casd.uscourts.gov</p>	<p>Chambers of: Judge Gonzalo P. Curiel [GPC] Suite 2190 - Courtroom 2D (2nd Floor - Schwartz) (619) 557-7667 efile_curiel@casd.uscourts.gov</p>
<p>Chambers of: Judge William Q. Hayes [WQH] Suite 1480 - Courtroom 14B (14th Floor - Carter/Keep Courthouse) (619) 557-6420 efile_hayes@casd.uscourts.gov</p>	<p>Chambers of: Judge Cynthia Bashant [BAS] Suite 4145 - Courtroom 4B (4th Floor - Schwartz) (619) 321-0256 efile_bashant@casd.uscourts.gov</p>
<p>Chambers of: Judge Janis L. Sammartino [JLS] Suite 4145 - Courtroom 4A (4th Floor - Schwartz) (619) 557-5542 efile_sammartino@casd.uscourts.gov</p>	<p>Chambers of: Judge Todd W. Robinson [TWR] Suite 3130 - Courtroom 3A (3rd Floor - Schwartz) (619) 321-0975 efile_robinson@casd.uscourts.gov</p>
<p>Chambers of: Judge Anthony J. Battaglia [AJB] Suite 3142 - Courtroom 3B (3rd Floor - Schwartz) (619) 557-3446 efile_battaglia@casd.uscourts.gov</p>	

* E-mail addresses are to be used solely for submitting proposed orders to the court, or when communications are solicited by the court.

SENIOR JUDGES
Official Initials in Brackets

<p>Chambers of: Judge William B. Enright [E] Suite 5195 - Senior Judge Suite (5th floor - Schwartz) (619) 557-5537 efile_enright@casd.uscourts.gov</p>	<p>Chambers of: Judge M. James Lorenz [L] Suite 3145 - Courtroom 5B (5th floor - Schwartz) (619) 557-7669 efile_lorenz@casd.uscourts.gov</p>
<p>Chambers of: Judge Marilyn L. Huff [H] Suite 1210 - Courtroom 12A (12th Floor - Carter/Keep Courthouse) (619) 557-6016 efile_huff@casd.uscourts.gov</p>	<p>Chambers of: Judge John A. Houston [JAH] Suite 1380 - Courtroom 13B (13th Floor - Carter/Keep Courthouse) (619) 557-5716 efile_houston@casd.uscourts.gov</p>
<p>Chambers of: Judge Barry Ted Moskowitz [BTM] Suite 5160 - Courtroom 15B (15th Floor - Carter/Keep Courthouse) (619) 557-5583 efile_moskowitz@casd.uscourts.gov</p>	<p>Chambers of: Judge Roger T. Benitez [BEN] Suite 5135 - Courtroom 5A (5th Floor - Schwartz) (619) 446-3589 efile_benitez@casd.uscourts.gov</p>
<p>Chambers of: Judge Jeffrey T. Miller [JM] Suite 5190 - Courtroom 5D (5th floor - Schwartz) (619) 557-6627 efile_miller@casd.uscourts.gov</p>	<p>Chambers of: Judge Michael M. Anello [MMA] Suite 3130 - Courtroom 3A (3rd Floor - Schwartz) (619) 557-5960 efile_anello@casd.uscourts.gov</p>
<p>Chambers of: Judge Thomas J. Whelan [W] Suite 3155 - Courtroom 3C (3rd floor- Schwartz) (619) 557-6625 efile_whelan@casd.uscourts.gov</p>	

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MAGISTRATE JUDGES IN ORDER OF SENIORITY
Official Initials in Brackets
(Refer to the Court Calendars for Courtroom Locations)

<p>Chambers of: Presiding Magistrate Judge William V. Gallo [WVG] Suite 2125 - 2nd Floor (Schwartz) (619) 557-6384 efile_gallo@casd.uscourts.gov</p>	<p>Chambers of: Magistrate Judge Ruth Bermudez Montenegro [RBM] El Centro Courthouse, Suite 220 (760) 339-4250 efile_montenegro@casd.uscourts.gov</p>
<p>Chambers of: Magistrate Judge Barbara L. Major [BLM] Suite 1110 - 11th Floor (Carter/Keep Courthouse) (619) 557-7372 efile_major@casd.uscourts.gov</p>	<p>Chambers of: Magistrate Judge Linda Lopez [LL] Suite 2140 - 2nd Floor (Schwartz) (619) 557-5585 efile_lopez@casd.uscourts.gov</p>
<p>Chambers of: Magistrate Judge Bernard G. Skomal [BGS] Suite 1280 - 12th Floor (Carter/Keep Courthouse) (619) 557-2993 efile_skomal@casd.uscourts.gov</p>	<p>Chambers of: Magistrate Judge Michael S. Berg [MSB] Suite 2160 - 2nd Floor (Schwartz) (619) 321-0247 efile_berg@casd.uscourts.gov</p>
<p>Chambers of: Magistrate Judge Mitchell D. Dembin [MDD] Suite 1180 - 11th Floor (Carter/Keep Courthouse) (619) 446-3972 efile_dembin@casd.uscourts.gov</p>	<p>Chambers of: Magistrate Judge Allison H. Goddard [AHG] Suite 3142 - Courtroom 3B (3rd Floor-Schwartz) (619) 557-6162 efile_goddard@casd.uscourts.gov</p>
<p>Chambers of: Magistrate Judge Karen S. Crawford [KSC] Suite 1010 - 10th Floor (Carter/Keep Courthouse) (619) 446-3964 efile_crawford@casd.uscourts.gov</p>	<p>Chambers of: Magistrate Judge Daniel E. Butcher [DEB] Suite 3142 - Courtroom 3A (3rd Floor-Schwartz) (619) 446-3704 efile_butcher@casd.uscourts.gov</p>
<p>Chambers of: Magistrate Judge Jill L. Burkhardt [JLB] Suite 5140 - 5th Floor (Schwartz) (619) 557-6624 efile_burkhardt@casd.uscourts.gov</p>	<p>Chambers of: Magistrate Judge Ruben B. Brooks [RBB] Suite 5195 - 5th (Schwartz) (619) 557-3404 efile_brooks@casd.uscourts.gov</p>
<p>Chambers of: Magistrate Judge Andrew G. Schopler [AGS] Suite 5160 - 5th Floor (Schwartz) (619) 557-6480 efile_schopler@casd.uscourts.gov</p>	<p>Chambers of: Magistrate Judge Nita L. Stormes [NLS] Suite 5195 - 5th Floor (Schwartz) (619) 557-5391 efile_stormes@casd.uscourts.gov</p>

* E-mail addresses are to be used solely for submitting proposed orders to the court, or when communications are solicited by the court.

RELATED COURT UNITS AND AGENCIES

U. S. Bankruptcy Court
Jacob Weinberger U. S. Courthouse
325 West F. Street
San Diego, CA 92101-6991
(619) 557-5620

U. S. Probation Office
101 W. Broadway, Suite 700
San Diego, CA 92101
(619) 557-5510

El Centro Office
2003 W. Adams Avenue, Suite 110
El Centro, CA 92243
(760) 352-2138

U. S. Attorney's Office
880 Front Street, Room 6293
San Diego, CA 92101-8893
(619) 557-5610

U. S. Marshals Service
333 West Broadway
San Diego, CA 92101
(619) 557-6620

San Diego Federal Defenders, Inc.
NBC Building, 225 Broadway, Suite 900
San Diego, CA 92101-5008
(619) 234-8467

U. S. Pretrial Services
333 W. Broadway, Suite 600
San Diego, CA 92101
(619) 557-7538

El Centro Federal Defenders, Inc.
1122 State Street. Suite E
El Centro, CA 92243
(760) 335-3510

El Centro Office
2003 Adams Avenue, Suite 130
El Centro, CA 92243
(760) 339-4225

COURT REPORTER/RECORDER COORDINATOR

Noemy Martinez
(619) 557-7310

MANAGER OF INTERPRETER SERVICES

Gloria Mayne
(619)-557-5205

CIRCUIT LIBRARY

Valerie Railey
(619)-557-5066

ATTORNEY INFORMATION

ATTORNEY ADMISSION TO PRACTICE (CivLR 83.3)

Admission to and continuing membership in the bar of this court is limited to attorneys of good moral character who are active members in good standing of the State Bar of California. Applicants must request to be admitted through the electronic Attorney Admission System via the PACER website at www.pacer.gov. For additional attorney admissions information, please visit

<https://www.casd.uscourts.gov/attorney/attorney-admission.aspx>.

CERTIFICATE OF GOOD STANDING

Attorneys should submit written requests for a Certificate of Good Standing to the Clerk's Office along with a \$19 check made payable to the U. S. District Court. A self-addressed stamped envelope should also be included.

CHANGE OF ADDRESS/FAX NUMBER/E-MAIL ADDRESS (CivLR 83.3) (Electronic Case Filing Administrative Policies and Procedures Section 1, f)

When a law firm changes its address or e-mail or an attorney changes firm, address, fax, or e-mail address, the Clerk's Office must be notified of the change so the records remain accurate. Attorneys are responsible for updating their address information via PACER at www.pacer.gov > Manage My Account > Maintenance > Update Address Information. Additionally, the attorney must file a timely notification of the changes.

A form for the notification may be found at the court's website

<http://www.casd.uscourts.gov> under Attorney Assistance - Attorney Admission.

Failure to officially notify the Clerk's Office will result in untimely or incomplete service of orders.

CJA APPOINTMENT OF COUNSEL

The CJA Panel consists of attorneys who are eligible and willing to be appointed to provide representation under the Criminal Justice Act. Admission requirements are

specified in General Order 405A. Applications for panel members are accepted yearly between June and November. The Clerk's Office will post a notice when applications are being accepted. Applications can be retrieved on line at <http://www.casd.uscourts.gov> and outside the cashier window of the Clerk's Office lobby. Completed applications must be returned to the cashier window of the Clerk's Office by the specified filing deadline. Applications that are not timely received will not be considered for the panel. The list of panel participants is revised each year in November by a committee of judges.

Information regarding qualifications, procedures, billing information, juror information, and current panel members is available on the court's Attorney Assistance tab, <http://www.casd.uscourts.gov>.

E-MAIL ADDRESSES FOR PROPOSED ORDERS - (Electronic Case Filing Administrative Policies and Procedures Section 2, h)

Registered users SHOULD NOT FILE OR SUBMIT proposed orders within the electronic filing system. At the time of filing a motion the filer must also e-mail a separate proposed order to the assigned judicial officer, with a copy of the e-mail and proposed order also being sent to opposing counsel. E-mail addresses for the judges can be found in:

- The Electronic Case Filing Administrative Policies and Procedures Section 2, h,
- In Civil Events and Criminal Events under the link [Email Addresses for Proposed Orders](#),
- On the court's web site, www.casd.uscourts.gov under the Court Info tab, and
- In this document.

The proposed order must be in editable word processing format, not in .pdf format. The proposed order should not contain the name and law firm information of the filing party, and should not contain the word "proposed" in the caption.

PRO HAC VICE (CivLR 83.3(c) (4))

An attorney not eligible for admission under CivLR 83.3(c), but a member in good standing of any U. S. court bar, or the highest court of any state or territory, may

register with the court to participate in a case. There is a one-time \$206 admission fee for eligibility for admission; however an attorney is required to file for admission in each case. An attorney appearing pro hac vice cannot reside in California, be regularly employed in California, or be regularly engaged in professional or other activities in California. Local Counsel must be designated.

To submit an electronic application for admission, an attorney must have an individual upgraded PACER account. For additional information on how to register for an individual PACER account, please visit

<https://www.casd.uscourts.gov/cmecf/nextgen.aspx>. Once an individual PACER account has been obtained, visit www.pacer.gov and select Manage My Account > Maintenance > Attorney Admissions / E-File Registration > Pro Hac Vice.

U. S. GOVERNMENT ATTORNEY

U. S. Attorneys not eligible for admission under CivLR 83.3(c), but a member in good standing of any U. S. Court bar, or the highest court of any state or territory, may register with the court to participate in a case. The U. S. Attorney must utilize the admission card on the court's web site and will not be required to pay an admission fee.

To request admission as a government attorney, the attorney must have an individual upgraded PACER account. For additional information on how to register for an individual PACER account, please visit

<https://www.casd.uscourts.gov/cmecf/nextgen.aspx>. Once an individual PACER account has been obtained, visit www.pacer.gov and select Manage My Account > Maintenance > Attorney Admissions / E-File Registration > Federal Attorney.

CHANGE OF ADDRESS BY PRO SE LITIGANT (CivLR 83.11(b))

A party proceeding pro se (i.e., without an attorney) must advise the court and opposing parties if his or her address changes. If a pro se plaintiff fails to notify the court that they have a new address, the court may dismiss the action without prejudice for failure to prosecute. In order to accurately maintain address records in the Clerk's Office, it is preferred that pro se litigants use their full name on the first pleading filed and on all subsequent pleadings.

DROP BOX - AFTER OFFICE FILINGS

An after-hours drop box is located on the 4th floor of the Federal Building at 333 West Broadway, outside Room 420. The drop box is available from 4:30 p.m. to 6:00 p.m., Monday through Friday, except federal holidays. Documents dropped will receive a file stamp for the day the document was dropped in the after-hours drop box. All dropped documents must be in a sealed envelope, with a self-addressed stamped envelope if conformed copies are requested. If documents are required to be filed electronically, a Notice of Non-Compliance will be issued.

FEES OF THE U. S. DISTRICT COURT

Please see the attached Appendix 3 with the court's fees.

FILE NUMBERS

All cases have distinctive numbers in the following format:

- The first number is either a 3 for San Diego or a 2 for El Centro.
- The next two numbers indicate the year the case was filed.
- The two letters indicate the case type (cv - civil, cr - criminal, mj - magistrate, mc - miscellaneous, po - petty offense.)
- The next 5 numbers are the case number.

- Civil and criminal case numbers also indicate the judge assignment with the judge's initial(s). The judge's initials are listed on pages 6 – 8 in this document.
 - The first letters are the presiding judge, and in civil cases the last three letters indicate the magistrate judge.
 - Magistrate and Petty Offense cases will have only a magistrate judge assignment.
 - Miscellaneous case numbers do not indicate a judge assignment.

FINANCIAL INFORMATION

Financial information for the court is available in the Fees, Appendix 3. For further information please contact the Financial Department at 619-557-6482.

FILES AND RECORDS

Cases are available for viewing in the Clerk's Office on the computers in the lobby. The official court record is the electronic record in CM/ECF. Docket sheets and party indexes are also available on the Internet via the Public Access to Court Electronic Records (PACER) System, at <http://pacer.casd.uscourts.gov>. For information concerning PACER access and registration for PACER contact the Pacer Service Center in San Antonio, Texas at 1-800-676-6856 or <http://pacer.psc.uscourts.gov>.

With Electronic Case Filing (CM/ECF), many entries on the official court record have never been filed in paper in the Clerk's Office. Copies prepared by the Clerk's Office are \$.50 per page. Customers can print their own copies of documents at a public computer terminal for \$.10 per page.

Certain closed cases have been transferred to the National Archives and Records Administration (NARA) in Perris, CA. To receive information about closed cases, call the Clerk's Office File Review (619) 557-7362.

JUDGE ASSIGNMENT

The Clerk's office has no discretion in the assignment of cases (CivLR 40.1(a)). Judges are assigned by random draw.

LOCAL RULES (LR)

The Local Rules of Practice are divided into two parts: civil and criminal. Civil rules may be cited as “CivLR__”; criminal rules may be cited as “CrimLR__.” Rules covering admiralty and habeas corpus proceedings may be cited as A.1-E.1; and HC.1, HC.2, et seq. Rules covering Patent proceedings may be cited as Patent L.R.____.

Local Rules can be obtained on-line, free of charge, at <http://www.casd.uscourts.gov> using the Rules tab. Copies of the Local Rules are available in the Clerk’s Office lobby, cashier window, for \$3.00. Local Rules can also be obtained by mailing \$3.00 to Clerk’s Office, U. S. District Court, Southern District of CA, at 333 West Broadway Suite 420, San Diego, CA 92101-8900 with a 9.5’ x 12’ self-addressed envelope with \$2.00 postage.

REQUEST FOR REPRODUCTION OF DOCUMENTS

Documents may be printed from our public terminals in the lobby for \$.10 per page. The fee for Clerk’s Office staff making copies is \$.50 per page. You will be asked to complete a Request for Copies form which calls for case number, case title, document file date, and docket number. You can use PACER or the public terminals to determine this information. The form must be completed in its entirety in order to process the request.

SEALED DOCUMENTS (CivLR 79.2, Patent Rule 2.2, Electronic Case Filing Administrative Policies and Procedures Section 2.j)

A document may not be filed under seal unless authorized by an order. If the order is also to be filed under seal, it must so state. All criminal sealed cases, juvenile cases, and criminal sealed documents must be filed in paper format pursuant to (CivLR 79.2 and Local Patent Rule 2.2). Sealed documents in civil cases should be filed electronically. Please refer to the procedures for electronically filing sealed documents in civil cases located on our CM/ECF website, www.casd.uscourts.gov/cmecf.

TRANSCRIPTS, TAPES AND CDS

Orders for transcripts should be directed to the court reporter/recorder present at the proceedings. To determine which court reporter/recorder was present, review the minute entry on the docket, or contact the judge's courtroom deputy. Orders for transcripts produced by electronic sound recording in a magistrate judge's courtroom should be directed to the judge's courtroom deputy or the Court Reporter Coordinator at (619) 557-7310. The case name, case number, judge or magistrate judge and date of hearing will be required to process the request. The fee for a transcript is based on the per page rate. Refer to the current version of General Order 70 for detailed information regarding fees. General Orders are accessed on-line, free of charge at www.casd.uscourts.gov by clicking on the Rules tab .

Tapes and CDs of electronically recorded proceedings may be obtained by contacting the individual court reporter for the district court judge. For magistrate judge requests, contact the assigned judge's courtroom deputy. The case name, case number, district judge or magistrate judge and date of hearing will be required to process the request. The fee for a copy of an audio tape or CD is \$30.00.

CM/ECF AND PACER INFORMATION

ELECTRONIC CASE FILING ADMINISTRATIVE POLICIES AND PROCEDURES

Pursuant to General Order 550, beginning on November 1, 2006, the U. S. District Court for the Southern District of California requires attorneys to file documents with the court electronically through its Case Management/Electronic Case Filing (CM/ECF) system. The Court expects all attorneys practicing in this District to participate in electronic filing to the extent practicable. All criminal sealed cases, juvenile cases, and criminal sealed documents must be filed in paper format pursuant to (CivLR 79.2 and Local Patent Rule 2.2). Sealed documents in civil cases should be filed electronically. Copies of the Electronic Case Filing Administrative Policies and Procedures may be downloaded from the court's CM/ECF web site <http://www.casd.uscourts.gov/cmecf>.

INTERNET PUBLIC ACCESS TO COURT ELECTRONIC RECORDS (PACER)

Docket sheets and party indexes are available on the Internet via the Public Access to Court Electronic Records (PACER) System, at <http://pacer.casd.uscourts.gov>. For information concerning PACER access and registration for PACER contact the Pacer Service Center in San Antonio, Texas at 1-800-676-6856 or <http://pacer.psc.uscourts.gov>.

NOTICE OF ELECTRONIC FILING

A notice is automatically generated each time a document is filed with the court. The Notice of Electronic Filing (NEF) is sent to the filing party, the judge(s) in the case, and any registered user in the case. The NEF will constitute service of the document for purposes of the Federal Rules of Civil, Criminal and Appellate Procedure.

SEARCHING FOR CASES WHEN THE CASE NUMBER IS UNKNOWN

PACER can be searched to identify the case number for a given plaintiff or defendant in **Query** by searching for the Last Name or Business Name. Criminal cases filed on or

after July 1991 and civil cases filed in or after May 1989 are available via PACER on the Internet.

Complete indexes of all participants in federal cases from 1962 to 1995 are available in microfiche in the Clerk's Office Lobby. The Public Terminals in the Clerk's Office and the microfiche are available to the public Monday through Friday from 8:30 a.m. to 4:30 p.m. (excluding federal holidays). The Clerk's Office can perform party name searches at a charge of \$30 per name.

SYSTEM AVAILABILITY

CM/ECF is available for service 24 hours a day. Parties are encouraged to file documents in advance of filing deadlines and during normal business hours. The Help Desk will respond to questions regarding CM/ECF at 866-233-7983, between the hours of 8:30 a.m. to 4:30 p.m. or by e-mailing questions to ecfhelp@casd.uscourts.gov. The Clerk's Office help desk number for non-CM/ECF questions remains 619-557-5600.

TRAINING FOR CM/ECF

The Clerk's Office offers training for attorneys and support staff each month. Training is in a classroom in the Clerk's Office with hands on practice using the CM/ECF system. To register for CM/ECF training access the information on our external site <https://www.casd.uscourts.gov/CMECF/SitePages/Training.aspx>.

The Clerk's Office also offers several Electronic Learning Modules on their website in the CM/ECF Training tab. Additionally, on the court's website, www.casd.uscourts.gov under the Policies and Procedures tab there are Attorney Checklists, Manuals for Electronic Case filing and demonstration videos.

The General Information tab provides information regarding the hardware and software required, a video "The Attorney's Perspective", and a list of Frequently Asked Questions for attorneys.

CERTIFICATE OF SERVICE (CivLR 5.2)

A certificate of service is not required when a party electronically files a document in the court's electronic filing system. If a certificate of service is required, the certificate must state the manner in which service or notice was accomplished on each party. CM/ECF will allow you to determine which participants in a case will receive e-mail notices and which will require manual noticing. Access this information by clicking on Utilities/Mailings/Mailing Info for a Case, and enter the case number.

FORMAT OF COMPLAINT, REMOVAL AND SUBSEQUENT PLEADINGS

- Case initiating documents in civil cases must be filed electronically, with payment for the filing fee incorporated in the event utilizing Pay.gov.
- The name of the filing attorney, or pro se litigant, bar number, address, phone number and e-mail address must be listed in the upper left corner of the document, beginning on line 1 (CivLR5.1(j)(1)). (See sample in Appendix 1.)
- Attorneys appearing pro hac vice and attorneys employed or retained by the United States or its agencies and authorized to practice in this court pursuant to Civil Local Rule 83.3.c.3, will list their bar numbers for the states of which they are active members (Reference General Order 632 dated 11/27/2013).
- Printed text, produced on a word processor or other computer, may be no smaller than fourteen (14) point standard font (e.g. Times New Roman).
- The title of the court is to begin at or below line eight (8) of the first page (CivLR 5.1(j) (2)).
- Below and to the left of the court title, the name of the title of the action is to be inserted (CivLR 5.1(j) (3)). Please note that "et al." is not acceptable in the case caption of the complaint or petition for removal. Name of the first plaintiff et al. verses name of the first defendant et al. is acceptable for subsequent pleadings (FRCvP 10(a)).
- The nature of the document is to appear below the case number to the right of the case caption (CivLR 5.1(j) (3)) on subsequent pleadings.
- A Civil Cover Sheet, Form JS44 must accompany every complaint filed (CivLR 3.1).

- Complaints which are larger than 20 pages must have a courtesy copy delivered to the Clerk's Office or mailed directly to the judge's chambers. (Electronic Case Filing Administrative Filing and Procedures 2 e.)

FORMAT FOR FILINGS

Pursuant to the Electronic Case Filing Administrative Policies and Procedures all cases are assigned to the Electronic Filing System and all petitions, motions, memoranda of law or other pleadings and documents required to be filed with the court must be electronically filed. Documents must be saved from either Word or WordPerfect to an Adobe "Portable Document Format" (.pdf) document, or scanned using settings at 400 pixels per inch (ppi). Each attachment must not exceed thirty-five megabytes (35 MB) in size. Pleadings filed in paper will be given a "Notice of Non Compliance."

Paper Size: All pleadings, either converted to .pdf or filed in paper must be on letter size paper (8 ½" X 11").

Form: All pleadings, either converted to .pdf and filed electronically or filed in paper must be double spaced on one side of line numbered paper (CivLR 5.1(a)).

Case Numbering: The typed case number must appear on the lower right corner of each page, below line 28, excluding the title page of each document, although not required on the complaint, petition or other document which opens the case. (CivLR 5.1(b)).

Pre-punching: All documents submitted in paper for filing or lodging must be pre-punched with two holes (approximately ¼" in diameter), centered 2 ¾" apart, ½" to 5/8" from the top of the document (CivLR 5.1(d)).

Captions: Pursuant to CivLR 5.1(m), double captions are required for cross and counter complaints, third party complaints, and their responses.

Copies required: Documents filed in paper format should follow the table below for the number of copies required. Counsel must provide a courtesy copy to chambers within 24 hours after filing, of any electronically filed document which exceeds 20

pages in length, including attachments and exhibits. (Electronic Case Filing Administrative Filing and Procedures 2 e)

Case Type	Pleading Type	Local Rule	Copies Required
cv	General Pleadings	CivLR 5.1(i)(1)	Original + 1
cv	Substitutions of Attorney	CivLR 5.1(i)(5)	Original + 2
cv	Consolidated Matter Pleadings *	CivLR 5.1(i)(3)	Original + 1
cv	Three judge case	CivLR 5.1(i)(2)	Original + 3
cv	Motions to Proceed in Forma Pauperis	CivLR 5.1(i)(1)	Original + 1
cv	Prisoner Habeas Petitions	HC.3(2e)	Original + 3
cr	Non-Sentencing Pleadings	CrimLR 4.1(b)(1)	Original + 2
cr	Sentencing Pleadings		Original + 3
cr	28:2255 Motions to Vacate Sentence	CrimLR 47.1(b)(1)	Original + 2

* **Consolidated Cases:** In consolidated matters, the document must be filed in the low-numbered case (lead Case). The case number of each consolidated case shall appear on each pleading following the lead case number (CivLR 5.1(i)(3)).

Filing Fees: The filing fees for cases will be paid as part of the electronic filing process. The filing fee will be paid with a credit card using Pay.gov. Please see the “How to File a Civil Case” user’s manual or on-line demonstration on the court’s web site under the Policies and Procedures tab. Pro se litigants may pay filing fees at the Clerk’s Office Cashier Window.

SUMMONS

The Clerk’s Office will issue a summons, if appropriate, as soon as the case has been opened in CM/ECF and a case number and judge assignment have been made. The summons will be sent electronically, via U.S. Mail, or in person to the filer of the complaint, pursuant to Local Rules.

SIGNATURE BLOCK

Each attorney or pro se litigant must sign the last page of the pleading. For electronically filed documents the name of the CM/ECF registered attorney under whose log-in and password the document is submitted must be preceded by an “s/” and typed in the space where the signature would otherwise appear (Electronic Case Filing Administrative Policies and Procedures 2 f.) Names must be typed below signatures on documents (CivLR 5.1 j 5).

Respectfully submitted,
WINSON AND LOSOM

By: s/Iman Attorney
IMAN ATTORNEY

Attorney for (Plaintiff name)
E-mail: imanatty@email.com

STYLE OF MOTIONS AND SENTENCING DOCUMENTS

- CivLR 7.1(f) (1) requires that all written motions be noticed and accompanied by a separate “Memorandum of Points and Authorities in Support of the Motion.” Filers may combine the notice of motion with the motion itself.
- The noticed hearing date and time is to appear on page one (1) of each motion, along with the case number, the name of the judicial officer, and the courtroom number on supporting documents, opposition, and reply. It is to appear below the nature of the document to the right of the case caption (CivLR 5.1(j) (4)). See sample in Appendix 2.

- Sentencing documents must reference the sentence date on page one (1) of each document below the nature of the document to the right of the case caption (CrimLR 32.1(a) (11)).
- Proposed orders SHOULD NOT BE FILED OR SUBMITTED electronically. They should be e-mailed to the assigned judicial officer at the e-mail address provided. E-mail addresses for the judges can be found on the court's web site, www.casd.uscourts.gov under the Court Info tab, in the Electronic Case Filing Policies and Procedures, and in this document.

ATTACHMENTS

- Points and authorities, declarations and exhibits must be filed as attachments to the motion in the CM/ECF system. (Electronic Case Filing Administrative Filing and Procedures 2 g.2)
- Each attachment must be less than ten (10) megabytes in size. (Electronic Case Filing Administrative Filing and Procedures 2 k)

EXHIBITS (CivLR 5.1(e)) (Electronic Case Filing Administrative Filing and Procedures 2 k)

- Except where compliance is impracticable, exhibits are to be paged in consecutive numerical order, and each page is to show the exhibit number either immediately above or below the page number.
- Each document containing exhibits must have a cover page to the exhibits and a table of contents indicating the page number of each succeeding exhibit.
- Unless the physical nature of the exhibit renders it impracticable, exhibits are to be attached to the documents to which they belong and are to be readable without detaching the exhibit from the accompanying document.

JOINT MOTIONS AND STIPULATIONS (Electronic Case Filing Administrative Filing and Procedures 2 f.4)

- All stipulations must be filed as joint motions. The filer of a joint motion need not obtain a hearing date prior to filing the joint motion. The filer must e-mail the proposed order to the assigned judicial officer.

ELECTRONIC CASE FILING ERRORS

The Clerk's Office will inspect electronic and paper filed documents for discrepancies which are then brought to the attention of the judge. The assigned judge in the case may then direct the clerk to correct any discrepancy or reject the deficient pleading. The filer will be advised of what further action, if any, is required to address the error. (Electronic Case Filing Administrative Filing and Procedures 2 n)

FILING REQUIREMENTS IN SPECIFIC CIVIL MATTERS

COMPLAINT AGAINST A PRIVATE PERSON OR CORPORATION: FRCvP 4

Complaint: Complaints must be electronically filed by CM/ECF registered attorneys. An original and one copy for the Court is required if the complaint is filed in paper by pro se parties. Complaints which are larger than 20 pages must have a courtesy copy delivered to the Clerk's Office or mailed directly to the judge's chambers. (Electronic Case Filing Administrative Filing and Procedures 2 e)

Civil Cover Sheet: A Civil Cover Sheet Form JS44 must accompany all complaints (CivLR 3.1). These forms may be found on the court's web site, <http://www.casd.uscourts.gov> under Attorney Assistance.

Waiver of Service: Waiver of Service may be used in lieu of issuing summons in order to save service costs (FRCvP 4(d)). Two official forms have been devised to implement the procedure for waiver of service. These forms can be found on the court's web site.

Summons: Preparation of the summons will be accomplished by the Clerk's Office upon receipt of the filing of the case. The summons will be electronically sent to the filing party. The electronic summons can be duplicated for service upon each defendant. The original is returned to the clerk and filed as a Summons Returned Executed or Summons Returned Unexecuted. In situations which require the U. S. Marshal to perform service, it is the plaintiff's responsibility to provide the Marshal with service instructions, defendant address, and capacity in which service is to be made (official or individual) (CivLR 4.1(c)).

Service on Foreign Countries: When service is to be effected outside a judicial district of the United States, the methods of service appropriate under an applicable treaty or international agreement shall be employed, if available (FRCvP 4(f)). Counsel shall investigate methods of service.

Filing Fee: The filing fee of \$400.00 will be paid electronically as part of the case opening procedure with Pay.gov, or a motion to proceed in forma pauperis should be

filed (forms available on the court's website). Attorneys who are United States Attorneys will have their fees waived as part of the electronic filing.

SUITS INVOLVING THE U.S.A AS A DEFENDANT: FRCvP 4(i)

Complaint: Complaints must be electronically filed by CM/ECF registered attorneys. An original and one copy for the Court is required if the complaint is filed in paper by pro se parties. Complaints which are larger than 20 pages must have a courtesy copy delivered to the Clerk's Office or mailed directly to the judge's chambers. (Electronic Case Filing Administrative Filing and Procedures 2 e)

Civil Cover Sheet: A Civil Cover Sheet Form JS44 must accompany all complaints (CivLR 3.1). These forms may be found on the court's web site, <http://www.casd.uscourts.gov> under Attorney Assistance.

Summons: Preparation of the summons will be accomplished by the Clerk's Office upon receipt of the filing of the case. The summons will be electronically sent to the filing party. The electronic summons can be duplicated for service upon each defendant. The original is returned to the clerk and filed as a Summons Returned Executed or Summons Returned Unexecuted. In situations which require the U. S. Marshal to perform service, it is the plaintiff's responsibility to provide the Marshal with service instructions, defendant address, and capacity in which service is to be made (official or individual) (CivLR 4.1(c)).

Filing Fee: The filing fee of \$400.00 will be paid electronically as part of the case opening procedure with Pay.gov, or a motion to proceed in forma pauperis should be filed (forms available on the court's website, see above).

Service: Serving the United States and its Agencies, Corporations, Officers or Employees must include service upon:

- **(1) The U. S. Attorney for the district where the action is brought.** (A copy of the complaint and summons.)
- **(2) U. S. Attorney General.** (A copy of the complaint and summons served by registered mail.)

- **(3) Agency named as defendant.** (A copy of the complaint and summons served by registered mail.)

REMOVAL OF A CASE FROM STATE COURT: 28: USC § 1446

Notice of Removal: Notices of Removal must be electronically filed by CM/ECF registered attorneys. An original and one copy for the Court is required if the complaint is filed in paper by pro se parties. Pursuant to 28 USC § 1446, a notice of removal will be filed together with a copy of all process, pleadings, and orders served upon defendant(s) in the action as attachments to the main document. Complaints which are larger than 20 pages must have a courtesy copy delivered to the Clerk's Office or mailed directly to the judge's chambers. (Electronic Case Filing Administrative Filing and Procedures 2 e)

Civil Cover Sheet: A Civil Cover Sheet Form JS44 must accompany all complaints (CivLR 3.1). These forms may be found on the court's web site, <http://www.casd.uscourts.gov> under Attorney Assistance.

Summons: Service of process may be completed or a new process may be issued in the district court after the filing of the notice of removal, if defendant(s) have yet to be served (28 USC 1448). Preparation of the summons will be accomplished by the Clerk's Office upon request of the plaintiff. The summons will be electronically sent to the filing party. The electronic summons can be duplicated for service upon each defendant. The original is returned to the clerk and filed as a Summons Returned Executed or Summons Returned Unexecuted.

Notice of Filing: Not required, although it will be accepted if electronically filed.

Filing Fee: The filing fee of \$400.00 will be paid electronically as part of the case opening procedure with Pay.gov, or a motion to proceed in forma pauperis should be filed (forms available on the court's website). Attorneys with the United States Attorney's Office will have their fees waived as part of the electronic filing.

ASSET SEIZURES

Complaint: Complaints must be electronically filed by CM/ECF registered attorneys. An original and one copy for the Court is required if the complaint is filed in paper by pro se parties. Complaints which are larger than 20 pages must have a courtesy copy delivered to the Clerk's Office or mailed directly to the judge's chambers. (Electronic Case Filing Administrative Filing and Procedures 2 e)

Civil Cover Sheet: A Civil Cover Sheet Form JS44 must accompany all complaints (CivLR 3.1). These forms may be found on the court's web site, <http://www.casd.uscourts.gov> under Attorney Assistance.

Summons: Preparation of the summons, if appropriate, will be accomplished by the Clerk's Office upon receipt of the filing of the case. The summons will be electronically sent to the filing party. The electronic summons can be duplicated for service upon each defendant. The original is returned to the clerk and filed as a Summons Returned Executed or Summons Returned Unexecuted. In situations which require the U. S. Marshal to perform service, it is the plaintiff's responsibility to provide the Marshal with service instructions, defendant address, and capacity in which service is to be made (official or individual) (CivLR 4.1(c)).

Filing Fee: The filing fee of \$400.00 will be paid electronically as part of the case opening procedure with Pay.gov, or a motion to proceed in forma pauperis should be filed (forms available on the court's website). Attorneys with the United States Attorney's Office will have their fees waived as part of the electronic filing.

Application to Substitute Custodian and Application for Arrest: A Motion for order to substitute custodian shall be electronically filed. The order will appoint a custodian to detain and keep the defendant property. A Motion for order authorizing issuance of a warrant for the defendant shall also be electronically filed.

Order for Substitute Custodian and Warrant Authorization: A proposed order designating a keeper of the property and allowing issuance of the warrant shall be e-mailed to the appropriate judge for signature.

Warrant of Arrest: A warrant of arrest for each item to be seized shall be delivered to the clerk's office for signature and distribution.

Seizure by U. S. Marshal: An original of the U. S. Marshal Form 285 is required for service.

Contact the U. S. Marshal's Office for any additional fees in connection with a seizure.

COMPLAINT FOR WARRANT FOR ARREST IN ACTION IN REM OF A MARINE VESSEL:

FRCvP Rules of Civil Procedure & Rules of Evidence

Complaint: Complaints must be electronically filed by CM/ECF registered attorneys. An original and one copy for the court is required if the complaint is filed in paper by pro se parties. Complaints which are larger than 20 pages must have a courtesy copy delivered to the Clerk's Office or mailed directly to the judge's chambers. (Electronic Case Filing Administrative Filing and Procedures 2 e)

Civil Cover Sheet: A Civil Cover Sheet Form JS44 must accompany all complaints (CivLR 3.1). These forms may be found on the court's web site, <http://www.casd.uscourts.gov> under Attorney Assistance.

Summons: Preparation of the summons, if appropriate, will be accomplished by the Clerk's Office upon receipt of the filing of the case. The summons will be electronically sent to the filing party. The electronic summons can be duplicated for service upon each defendant. The original is returned to the clerk and filed as a Summons Returned Executed or Summons Returned Unexecuted. In situations which require the U. S. Marshal to perform service, it is the plaintiff's responsibility to provide the Marshal with service instructions, defendant address, and capacity in which service is to be made (official or individual) (CivLR 4.1(c)).

Filing Fee: The filing fee of \$400.00 will be paid electronically as part of the case opening procedure with Pay.gov, or a motion to proceed in forma pauperis should be filed (forms available on the court's website). Attorneys with the United States Attorney's Office will have their fees waived as part of the electronic filing.

Application to Substitute Custodian and Application for Arrest: A Motion for order to Substitute Custodian shall be electronically filed appointing a custodian to detain and keep the defendant property. A Motion for order authorizing issuance of a warrant for the defendant shall also be electronically filed.

Order for Substitute Custodian and Warrant Authorization: An order designating a keeper of the property and allowing issuance of the warrant shall be e-mailed to the appropriate judge for signature.

Warrant of Arrest: A warrant of arrest for each item to be seized shall be delivered to the clerk's office for signature and distribution.

Bond: A bond may be ordered by the court for the release of property in custody. (FRCP; Supplemental Rule E(5)(a)).

Seizure by U. S. Marshal: An original of the U. S. Marshal Form 285 is required for each service.

Contact the U. S. Marshal's Office for any additional fees in connection with a seizure.

INMATE FILINGS

Habeas Corpus: Litigants proceeding with or without an attorney who wish to file a habeas corpus petition challenging their conviction or sentence may receive a copy of this court's habeas manual, which is entitled: PRO SE HABEAS CORPUS HANDBOOK: A Manual For State Prisoners Filing a Federal Habeas Corpus Petition Attacking a State Conviction or Sentence Pursuant to 28: U.S.C. § 2254 or §2241. The manual is available in the Clerk's Office, California prison law libraries, and on-line at <http://www.casd.uscourts.gov>.

Prisoner Civil Rights: (link to GO 653)

Complaint: 42USC § 1983 (Civil Rights), 28 USC § 2254 (State Habeas Corpus), and 28 USC § 2255 (Federal Habeas Corpus) forms may be obtained from the Clerk's Office, at the court's web site (see above), or from the prison law library.

Filing Fee: Prisoners who desire to proceed in forma pauperis must submit a prison trust account statement for the six (6) month period immediately preceding the filing of the action (28 USC § 1915(a) (2)). This statement can be obtained from the prison trust accounting office. Motions to proceed in forma pauperis can be obtained from the prison library, from the court's web site, or from the Clerk's Office when requested in writing at 333 West Broadway, Suite 420, San Diego, CA 92101-8900. Filing Fee for civil rights cases is \$400.00. Filing fee for Habeas Corpus cases is \$5.00. There is no filing fee for 28 USC § 2255 motions.

REGISTRATION OF JUDGMENT FROM ANOTHER DISTRICT (incoming): 28 USC § 1963

A judgment in an action for recovery of money or property entered in another federal court may be registered by filing a certified copy of the judgment in this district. The registration of the judgment will be filed electronically as a Miscellaneous Case with the certified AO form 451, and a certified copy of the judgment.

Filing Fee: The filing fee of \$46.00 will be paid electronically as part of the case opening procedure with Pay.gov, or a motion to proceed in forma pauperis should be filed (forms available on the court's website).

APPEALS: FEDERAL RULES OF APPELLATE PROCEDURE

Notice of Appeal: The original appeal is filed electronically with the district court.

Filing Fee: The filing fee of \$505.00 will be paid electronically as part of the case opening procedure with Pay.gov, or a motion to proceed In Forma Pauperis (IFP) on appeal. If IFP status was previously granted in the case being appealed, a new motion for IFP is not required. Transcript Designation forms can be obtained from the clerk. Designations of record should be directed to the appeals court.

CENTRAL VIOLATIONS BUREAU (CVB)

The Central Violations Bureau is responsible for processing Federal Citations. Federal citations (tickets) are issued on federal property such as: Camp Pendleton, MCRD, and national parks. The citation you received must say “United States District Court Violation Notice” across the top, to be a federal citation. For other citations, contact the San Diego County Clerk’s Office at 858-565-1006.

The CVB is located in San Antonio, Texas, and their hours of operation are 8:00 a.m. to 6:00 p.m. CST. Their telephone is 1-800-827-2982, or e-mail at www.cvb.uscourts.gov for general information about your ticket and online payments.

Update?

FILING REQUIREMENTS IN SUBSEQUENT MATTERS

AMENDED COMPLAINT: FRCvP 15

Complaint: Amended complaints are filed electronically.

Summons: Preparation of the summons will be accomplished by the Clerk's Office upon receipt of the electronic filing of the amended complaint as to newly added defendants only. The summons will be electronically sent to the filing party. The electronic summons can be duplicated for service upon each defendant. The original is returned to the clerk and filed as a Summons Returned Executed or Summons Returned Unexecuted. In situations which require the U. S. Marshal to perform service, it is the plaintiff's responsibility to provide the Marshal with service instructions, defendant address, and capacity in which service is to be made (official or individual) (CivLR 4.1(c)).

If no additional defendants are added, the existing defendants must be served a copy of the amended complaint, either electronically via CM/ECF or by conventional means.

Filing Fee: None

DEFAULT JUDGMENT: FRCP 55

The procedure for filing a default judgment is to first file a request for clerk's entry of default, together with an affidavit regarding service of process, if not already on file (FRCP 55(a)). If the defendant has been properly served and no responsive pleading has been filed, a clerk's entry of default may be entered. Upon filing of a clerk's entry of default, a motion for default judgment may be filed electronically and a proposed judgment e-mailed to the judge (FRCP 55(b) (2)). The clerk is authorized to issue default judgments for a sum certain if the defendant has been defaulted for failure to appear (FRCP 55(b) (1)).

DEPOSITION: FRCP 45

Subpoena: Attorneys may issue and sign a subpoena on behalf of a court in which the attorney is authorized to practice or a court in which the deposition or production is compelled by the subpoena (FRCP 45(a)(3)).

Witness Fees: Contact the U, S. Marshal for current rates.

Filing Fee: None

MOTION ARGUMENT: CivLR 7.1

A party can submit a motion for decision based solely on the pleadings and without oral argument upon approval of the court. The statement “Oral Argument Not Required” is to be placed below the nature of the document, or the noticed hearing date if applicable. Opposing parties can indicate a willingness to waive oral argument by similarly including the same statement. If either party indicates such willingness, the adverse party must promptly call the law clerk of the assigned judge and indicate whether or not there is concurrence (CivLR 7.1(d) (2) (a)-(c)). The court can also determine that no oral argument will be heard, at its own discretion.

MOTION FOR SANCTIONS: FRCvP 11

FRCvP 11 requires sanction motions be separate from other motions/requests. They must clearly describe the conduct that violates FRCvP 11(b).

FILING REQUIREMENTS FOR POST JUDGMENT INSTRUMENTS

CERTIFICATION OF JUDGMENT FOR REGISTRATION IN ANOTHER DISTRICT (outgoing):
28 USC § 1963

AO Form 451: There is no fee for the preparation of AO Form 451 which will accompany the certified copy of the judgment from our court to be registered in another district.

Copy Fee: Fee of \$.50 per page for the reproduction of the judgment is required if the copy work is performed by court personnel.

Certification Fee: Fee of \$11.00 each for the certification of the judgment, and the AO form 451 made payable to the clerk.

RELEASE OF VESSEL: 28 USC § 2464

A seized vessel can be released only with a signed order from the court or by stipulation of the parties. If a party wishes to have a bond returned at the time of vessel release, a separate motion and order are needed.

WRIT OF EXECUTION: FRCP 69

Writ: Original and 4 copies.

Affidavit: Original and 2 copies.

Marshal's Form: Service is governed by FRCP 4 and 69. If the U.S. Marshal effects service, the Form 285 must accompany the Writ of Execution. If service is effectuated by the sheriff pursuant to state law, the sheriff's procedures should be followed.

Filing Fee: None

Note: The writ can only be issued a minimum of 10 days after entry of judgment unless otherwise ordered by the court. If a notice of appeal has been filed and a supersedeas bond posted, the writ may not be issued.

Appendix 1, Style of Complaint (PDF Document)

1 **APPENDIX 1 – STYLE OF COMPLAINT**
2 Iman Attorney, CA Bar No. 99999
3 Winsom and Losom
4 222 Anystreet
5 San Diego, CA 92101
6 Telephone: (123)555-7890
7 Email: imanattv@email.com
8 Attorney for Plaintiff

9 **UNITED STATES DISTRICT COURT**
10 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

11
12 JOHN DOE,) Case No.: *(Leave blank on complaint)*
13 Plaintiff,) COMPLAINT, JURY DEMAND
14 vs.)
15 ROE CORPORATION,)
16 Defendant)

17
18 Plaintiff John Doe alleges and states as follows: Roe Corporation received
19 an unjust benefit.

20 Dated: January 31, 2013 LAW OFFICE OF WINSOM AND LOSOM

21
22 By: S/ Iman Attorney
23 IMAN ATTORNEY

24 Attorney for Plaintiff
25 Email: imanattv@email.com
26
27
28

Appendix 2: Style of Motion (PDF Document)

1 Iman Attorney, CA Bar No. 99999
Winsom and Losom
2 222 Anystreet
San Diego, CA 92101
3 Telephone: (123)555-7890
Email: imanattv@email.com
4 Attorney for Plaintiff

5
6
7
8 **UNITED STATES DISTRICT COURT**
9 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

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JOHN DOE,

Plaintiff,

vs.

ROE CORPORATION,

Defendant

CASE NO.: 3:11-CV-9999 H (JMA)

MOTION TO DISMISS CASE

DATE: March 31, 2013

TIME: 11:30 a. m.

COURTROOM D

Honorable Judge Marilyn L. Huff

Defendant Roe Corporation move the Court for an order dismissing the
above captioned action.

Dated: January 31, 2013

LAW OFFICE OF WINSOM AND LOSOM

By: S/ Iman Attorney
IMAN ATTORNEY

Attorney for Plaintiff
Email: imanattv@email.com

Appendix 3: Fees of the U.S. District Court

UNITED STATES DISTRICT COURT

Southern District of California
Office of the Clerk
333 West Broadway, Suite 420
San Diego, California 92101-8900
(619) 557-6348

Visit our website at www.casdl.uscourts.gov

Fees of the U.S. District Court; 28 USC ' 1914 and Local Rule 4.5

Effective 2-8-2017

	<u>Rate</u>
Ordinary Civil Filing	\$400.00*
State Habeas Corpus Filing	\$5.00
Notice of Appeal (including joint notices)	\$505.00**
Appeal to District Court from Judgment and Commitment in Misd Case	\$38.00
Miscellaneous:	
- Filing and Indexing Any Paper Not Part of a USDC, So CA Case (Registration of Judgments, Letters of Request, Power of Attorney, Apostille, etc.)	\$47.00
Filing Papers by Trustee under 28 USC 754	\$47.00
Notice of Taking Deposition in Case from Another District	\$47.00
For reproducing or copying any record or paper (not including certification) (per page)	\$.50
Printing Documents at Public Terminal (per page)	\$.10
Record Search (per item/name)	\$31.00
Certifying Any Document on File (each certificate)	\$11.00
Exemplifications	\$22.00
Registry Fund Investment Handling and Management Fee	see notes***
Admission to Practice	\$206.00
Pro Hac Vice (paid only once)	\$206.00
Duplicate Certificate of Admission	\$19.00
Certificate of Good Standing	\$19.00
Reproduction of Audio Recording	\$31.00
Microfiche Sheet of Film or Microfilm Jacket	\$6.00
Retrieval of one box of records from NARA or other storage location	\$64.00****
Payment Returned or Denied for Insufficient Funds	\$53.00
Central Violations Bureau (CVB) Processing Fee	see notes*****
Local Rules (per copy purchased in Clerk's Office)	\$3.00
Filing Action Under Title II of the Cuban Liberty & Democratic Solidarity Act of 1996 (in addition to filing fee)	\$6,548.00

Transcribing Record by Court Employee: Rates as Established by General Order

View case dockets on the Internet via PACER for a fee of \$.10 per page (rate effective 4-1-2012).

*Includes a \$50 administrative fee for filing a civil action, suit, or proceeding. This fee does not apply to application for a writ of habeas corpus or to persons granted IFP status under 28 U.S.C. 1915.

**When an appeal is filed, the district clerk is required to collect the \$500 docketing fee, plus an additional \$5 statutory fee that is collected under 28 U.S.C § 1917

***The Court Registry Investment System (CRIS) Fund Custodian shall assess a charge for the handling of registry funds deposited with the court, to be assessed from interest earnings and in accordance the detailed fee schedule issued by the Director of the Administrative Office of the United States Courts. For management of the registry funds invested through

CRIS, a fee at the annual rate of 10 basis points shall be assessed from interest earnings (20 basis points for funds deposited under 28 U.S.C. § 1335.)

****For retrievals involving multiple boxes, \$39 for each additional box. For electronic retrievals, \$10 plus any charges assessed by the Federal Records Center, National Archives, or any other storage location removed from the place of business of the courts.

*****\$30 eff. 06-1-2016 processing fee assessed for each violation notice processed through the CVB as authorized by Congress in 2005 - *See* Public Law No. 108-447 (118 Stat. 2809) (2005); JCUS-SEP 04, p. 12.

Acceptable forms of payment are cash (limits apply), personal check (except for material witness and cash bonds), cashier's check, law firm check, money order. Credit cards are accepted for payment of filing fees or other miscellaneous court fees. Any civil or criminal special assessments, fines, restitution or payments into the registry of the court cannot be paid by credit card.

All checks are to be payable to "Clerk, U.S. District Court".

An order from the court is necessary to withdraw any monies deposited with the court.