

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

BARTON RAY GAINES,	§	
Petitioner,	§	
VS.	§	ACTION NO. 4:08-CV-147-Y
	§	
NATHANIEL QUARTERMAN, Director,	§	
Texas Dept. of Criminal Justice	§	
Correctional Institutions Div.	§	
Respondent.	§	

ORDER ASSIGNING CASE
AS TO ONLY ONE PARTY TO ELECTRONIC CASE FILING
(REVISED September 2007)¹

The Court has decided that this case, as to Respondent only, and all civil cases on the "Y" docket will be enrolled in the Court's Electronic Case Filing ("ECF") system.

Accordingly, it is **ORDERED** that the above-referenced case, as to Respondent only,² is hereby **ENROLLED** in the ECF system.³

¹ The latest revisions to this order are highlighted.

² Because **Petitioner** will not be participating in the ECF system, and must make any filings conventionally, he **must** serve on Defendant a copy of any document filed via the non-electronic methods authorized by Federal Rule of Civil Procedure 5.

As a result, a copy of any document filed **electronically** by **Respondent** must be served on Petitioner via the non-electronic methods authorized by Federal Rule of Civil Procedure 5. Furthermore, the Court notes that **Respondent must** provide **Petitioner** with a paper copy of any proposed order submitted to the Court electronically.

³ This order does **not** apply to the following:

- (1) **pro-se prisoner litigants** (and thus a copy of any document filed electronically in a case involving a pro-se prisoner litigant must be served on the prisoner via the non-electronic methods authorized by Federal Rule of Civil Procedure 5);
- (2) the filing of the **state-court record** in cases involving the pursuit of habeas relief under 28 U.S.C. § 2254 (thus, the state-court record must be filed by conventional, non-electronic means);
- (3) the filing of the **administrative record** in cases seeking judicial review of a decision of the Commissioner of Social Security under 42 U.S.C. § 405(g) (thus, the administrative record must be filed by conventional, non-electronic means); and
- (4) the filing of **sealed documents** (thus, all documents required by local civil rule 79.3(a)(2) must be filed by conventional, non-

It is further **ORDERED** that, within ten days of the date of notice of this order, all counsel of record who have not already completed the following steps shall:

1. Print and review the ECF Administrative Procedures Manual;
2. Print and review Miscellaneous Order Number 61;
3. Complete the online Attorney Tutorial for ECF Training;
4. Print and review the **ECF User Guide**; and
5. Complete the Attorney/User Registration Form and forward it to the clerk's office. Once you have received your login and password, you are registered for electronic filing in all divisions and do not need to submit registration forms for any other cases filed in the Northern District of Texas in which you are or become an attorney of record.

This information is located on the Court's website at:

<http://www.txnd.uscourts.gov/filing/ecf.html>

Questions regarding **registration** for the ECF system should be directed to **the Fort Worth ECF Help Desk at 1-800-240-7240** or the **Dallas ECF Help Desk at 1-866-243-2866**.

It is further **ORDERED** that counsel in this case who have not already registered for notice by electronic transmission (e-mail) of all matters filed with the district clerk shall do so within ten days of the date of notice of this order. Information about how to register for electronic noticing can be found on the Court's

electronic means, including the motion to seal (this constitutes a modification to paragraph III(B) of the CM/ECF Civil and Criminal Administrative Procedures Manual)).

website at <http://www.txnd.uscourts.gov/records/ens.html>.

It is further **ORDERED** that:

1. The electronic record will be the official court record in this case;
2. In addition to the federal and local civil rules, this case will be governed, unless otherwise ordered, by Miscellaneous Order 61, the ECF Administrative Procedures Manual, and the **ECF** User Guide;
3. Questions regarding **filing** under the ECF system should be directed to **Bob Barnes at 817-850-6612** or to the **Fort Worth Help Desk at 1-800-240-7240**;
4. A paper copy of each document filed electronically must be delivered to the clerk's office within three days of the electronic file date. **The paper copy must be marked "Judge's Copy," must have a copy of the Notice of Electronic Filing⁴ for that document stapled to the front of the copy, and must be submitted in the form otherwise required by the local rule 10.1;**

THE COURT WILL NOT BEGIN ITS CONSIDERATION OF THE DOCUMENT UNTIL RECEIPT OF THE PAPER COPY.

The burden is on any party seeking immediate relief to immediately furnish the required judge's copy. Furthermore, failure to follow the judge's copy requirements may result in the document's being unfiled;

Please Note: If this case or any portion of this case is referred to a United States

⁴The Notice of Electronic Filing will be automatically received by the filer of each document upon the completion of the electronic filing procedure.

magistrate judge, the magistrate judge may enter an order with additional specific requirements;

5. Local civil rule 15.1 will not apply to this case. The following shall apply instead:

A party who electronically moves for leave to file an amended pleading must electronically attach the proposed amended pleading as an exhibit to the motion for leave. The party so moving must also comply with paragraph 4, above, with respect to such motion and attachment. If the motion for leave is granted, the moving party will be ordered to electronically file the amended pleading within a time certain.

6. Local civil rule 7.1(c) is modified in that proposed orders must be electronically submitted with every motion in WordPerfect or Word format. These orders must be submitted simultaneously with the filing of the motion via e-mail as instructed under the ECF system's "Proposed Orders" event.

It is further **ORDERED** that the clerk of Court is directed to serve a copy of this order electronically on Respondent(s) by delivering a copy to the representatives who have previously agreed to accept electronic service of process on Respondent's complaint.

It is further **ORDERED** that counsel must ensure that all documents filed with the Court strictly comply with the privacy policy of the United States District Court for the Northern District of Texas. The privacy policy restricts the use and manner of use of certain types of information, including: social security numbers, driver license numbers, tax identification numbers,

minors' names, birth dates, financial account numbers, credit card numbers, medical records employment histories, proprietary or trade secret information, crime victim information, national security information, sensitive security information as described in 49 U.S.C. § 114(s), and information regarding an individual's cooperation with the government. The complete privacy policy may be found at <http://www.txnd.uscourts.gov/pdf/TXNprivnot.pdf>.

SIGNED April 2, 2008.

_____/s/ Charles Bleil
CHARLES BLEIL
UNITED STATES MAGISTRATE JUDGE