

# United States District Court

District of New Mexico

Office of the Clerk

U. S. Court House

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Robert M. March  
Clerk of Court

## Divisional Offices

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## TO PRO SE LITIGANTS

It must be emphatically pointed out, the Clerk's Office cannot render any type of legal advice to any parties filing suits in this or any other court. The Clerk's Office will provide general assistance with the filing of necessary papers and pleadings, but under no circumstances can we give any type of legal advice as to what should or should not be done as regards the prosecution or defense in a civil or criminal action. Such legal advice by the Clerk's office is strictly prohibited.

Pro Se litigants are reminded that litigation in the federal courts is a complex process. It is the responsibility of the litigants to follow the Federal Rules of Civil Procedure (or Federal Rules of Criminal Procedure) and the local rules. The Clerk's office cannot assume this responsibility for any litigants.

A handwritten signature in black ink that reads "Robert M. March".

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ROBERT M. MARCH  
Clerk, United States District Court

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

NOTICE TO INDIVIDUALS SEEKING TO FILE A LAWSUIT PRO SE

If you are filing a lawsuit in this court pro se (i.e., without an attorney), please be advised of the following:

1. COMPLIANCE WITH RULES

A. Individuals who appear in court pro se are required to be familiar with and to follow the Federal Rules of Civil Procedure and the local rules of this court.

1. FEDERAL RULES OF CIVIL PROCEDURE - not available in the Clerk's Office; however, are available at any law library.

2. LOCAL RULES OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO - available at the Intake Section of the Clerk's Office.

B. The Clerk's Office will not file pleadings and papers unless they conform to the requirements of the Federal Rules of Civil Procedure and the Local Rules of the Court. Pleadings and papers submitted for filing which do not conform to these rules will be returned.

C. It is your responsibility to draft and submit such pleadings and papers in compliance with the Rules which you feel are necessary to prosecute your lawsuit in this court. The Clerk's Office is prohibited from providing legal advice to individuals on how to proceed with a lawsuit. All papers and pleadings are to be filed with the Clerk of Court and not with the judge or magistrate to whom the case is assigned.

- D. Please note that compliance with filing requirements only allows the Clerk's Office to accept and file your pleadings and papers and submit them to the Court for consideration. The merits of your pleading can only be determined by the judge or magistrate to whom your case is assigned.
2. Following are some of the rules which related to the form of pleadings. This listing is not complete and does not relive you of the obligation to follow all rules.
- A. All pleadings and other papers submitted for filing shall be on 8½" x 11", white opaque paper, legibly handwritten or typed.
  - B. Every pleading shall contain a heading or caption setting forth the name of the court, the title of the action, the case number and a designation showing the character of the pleading. A sample first page is attached.
  - C. A party filing pleadings pro se must sign each of them personally and type or print his/her name, address, and phone number below the signature.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

JOHN DOE,

Plaintiff(s),

vs.

Civ. No: 95-0123 JC/WWD

Jane Doe,

Defendant(s).

MOTION BY PLAINTIFF FOR PARTIAL SUMMARY JUDGMENT