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BY CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

IN RE:

SUMMARY OF PROCEDURAL RULES

(for distribution in cases
where plaintiff/petitioner
is proceeding pro se)

GENERAL ORDER

The following paragraphs summarize certain local rules of the Court and other procedural matters. It is intended for the benefit of plaintiff/petitioners proceeding pro se.

It is hereby ORDERED that:

- (1) The summons and complaint must be served on each defendant/respondent within four months after the filing of the complaint. If service has not been made in that time, and good cause is not shown for that failure, the action can be dismissed without prejudice.
- (2) All pleadings submitted for consideration by the Court must be filed on short paper (8 1/2 by 11 inches). Pleadings submitted on longer paper will be returned, and will not be filed.

1 (3) All original documents and papers submitted for
2 consideration by the Court in this case, and a duplicate
3 of all such papers, are to be filed with the Clerk of
4 this Court. The originals and copies of all such papers
5 shall indicate in the upper right-hand corner the name of
6 the District Judge or Magistrate Judge to whom the copies
7 are to be delivered. The papers shall be accompanied by
8 proof that such documents have been served upon counsel
9 for the opposing party (or upon any party acting *pro se*).
10 Service is accomplished by mailing a true and correct
11 copy of the document to each defendant/respondent's
12 counsel. The proof of service shall show the day and
13 manner of service and may be written acknowledgment of
14 service, by certificate of a member of the bar of this
15 Court, or by affidavit of the person who served the
16 papers. If a party fails to comply with this Order, the
17 Court will disregard the submitted document.

18 (4) Any request for court action shall be set forth in a
19 motion, not in a letter or other document. A party must
20 file and serve with the motion a supporting memorandum.
21 The motion shall include in its caption (immediately
22 below the title of the motion) a designation of the
23 Friday upon which the motion is to be noted upon the
24 court's calendar. That date shall be the third Friday
25 following filing of the motion (fourth Friday for motions
26 for preliminary injunction, to dismiss, for summary

1 judgment, and other dispositive motions). All briefs and
2 affidavits in opposition to any motion shall be filed and
3 served not later than 4:30 p.m. on the Monday immediately
4 preceding the Friday appointed for consideration of the
5 motion. If service is by mail, the brief and any
6 supporting materials shall be mailed not later than the
7 Friday preceding the Friday on which the motion is noted.
8 If a party fails to file and serve timely opposition to
9 a motion, the Court may deem any opposition to be without
10 merit. The party making the motion may file, not later
11 than 4:30 p.m. on the Thursday immediately preceding the
12 Friday designated for consideration of the motion, a
13 response to the opposing party's briefs and affidavits.
14 The motion and supporting memorandum, as well as any
15 opposition or response, must be served and filed
16 according to paragraph (3) above.

- 17 (5) If defendant/respondent files a motion for summary
18 judgment, plaintiff/petitioner is advised, pursuant to
19 Rand v. Rowland, 154 F.3d 952 (9th Cir. 1998) and Federal
20 Rule of Civil Procedure 56, that he or she has a right to
21 file counter-affidavits or other responsive evidentiary
22 materials in opposition to defendant/respondent's motion
23 for summary judgment and that his or her failure to file
24 such materials may result in the entry of summary
25 judgment against him or her. If the motion for summary
26 judgment is granted, the plaintiff/petitioner is advised

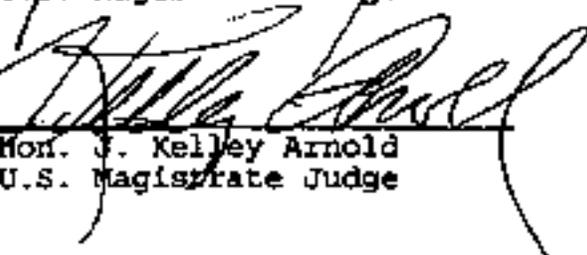
1 that his/her case will be over. Thus, if
2 plaintiff/petitioner fails to file opposing counter-
3 affidavits or other evidence, defendant/respondent's
4 evidence might be taken as truth, and final judgment may
5 be entered against plaintiff/petitioner without a trial.
6 See Local Rule CR 7(b)(4).

7 (6) You are not to communicate directly with the District
8 Judge or the Magistrate Judge with regard to this case.
9 All relevant information and papers are to be directed to
10 the Clerk, with copies sent to opposing counsel.

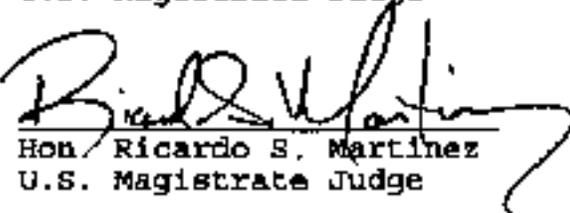
11 (7) If you are proceeding pro se (without an attorney), you
12 must notify the Clerk and opposing parties promptly if
13 you change your address. If you fail to do so, your case
14 may be dismissed.

15 (8) All cases that have been pending in this Court for more
16 than one year without any proceeding of record having
17 been taken may be dismissed by the Court on its own
18 motion for lack of prosecution.

19 
20
21 Hon. John L. Weinberg
22 U.S. Magistrate Judge

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24
25 Hon. J. Kelley Arnold
26 U.S. Magistrate Judge


27
28 Hon. David E. Wilson
29 U.S. Magistrate Judge


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31 Hon. Ricardo S. Martinez
32 U.S. Magistrate Judge