

NOTICE TO PRO SE PLAINTIFF

If you are proceeding in a case without the benefit of a lawyer, please read this notice to ensure that you are aware of the rules that you must follow. Your failure to comply with the rules or any court order could result in sanctions, including dismissal of your case.

1. Complying With Rules

As an initial matter, you should know that the rules apply to all parties regardless of whether they have a lawyer. *See Moon v. Newsome*, 863 F.2d 835, 837 (11th Cir. 1989). Those rules are the Federal Rules of Civil Procedure (“Fed. R. Civ. P.”) and the Local Rules of the United States District Court for the Middle District of Florida (“Local Rules”). You can find the Local Rules on the Court’s website, <https://www.flmd.uscourts.gov/LocalRules.htm>, or in the Clerk’s Office, 801 North Florida Avenue, Tampa, Florida, 33602. Some of the commonly applicable rules are highlighted below. Because other rules also apply, however, you should not rely on this notice as limiting the duties that you have in this case. The Court’s website, www.flmd.uscourts.gov, includes additional information for proceeding without a lawyer, including a *Guide for Proceeding Without a Lawyer*.

2. Serving the Complaint

The service-of-process rules, which are simply the rules that ensure that a defendant has timely received a copy of the complaint (and thus notice that you are suing him), are found in Federal Rule of Civil Procedure 4 and Local Rule 1.07. You must serve each defendant with a copy of the complaint within ninety (90) days after you have filed the complaint. It is your responsibility to timely comply with that rule, and if you do not, your case might be dismissed.

If the Court has entered an order allowing you to proceed *in forma pauperis* under 28 U.S.C. § 1915, the United States Marshals Service will serve the complaint on each of the defendants for you. It is, however, still your responsibility to fill out blank summons forms and send completed ones to the Clerk’s Office so that the Clerk can then give them to the United States Marshals Service. If you have not already received summons forms, you can find them on the Court’s website or by calling the Clerk’s Office, 813-301-5400. If you do not timely send the completed forms to the Clerk, your case might be dismissed.

3. Filing Documents With the Court

All of the documents that you file with the Court have to be in the form of a pleading, a motion, a response, or a notice. A pleading is the complaint and any amended complaint, as well as the answer to the complaint and any amended answer to the complaint. A motion is any document in which you ask the Court for something. A response is any document responding to a motion by another party or an order directing a response to a matter. A notice is any document in which you provide pertinent information without asking the Court for something. All of the documents that you file with the Court have to be in separate documents (except for motions and memoranda of law; those must be together in one document). And all of the documents that you file with the Court have to include the following:

- a. a caption at the top of the first page that has the name of the Court (United States District Court, Middle District of Florida, Tampa Division), the names of the parties, and the case number;
- b. a title that describes the document (and, if it is a motion, whether the defendant(s) oppose(s) it and whether it is dispositive), starting with your party designation (for example, “Plaintiffs Unopposed Motion for Extension of Time to Respond to Defendant’s Summary Judgment Motion”);
- c. within any motion (not as a separate document), a legal memorandum with citations to authority that supports your request;
- d. a certificate (i) stating that you had conferred with the defendant(s) in a good-faith effort to try to resolve the matter before filing the motion; and (ii) explaining whether the defendant(s) agree(s) on the relief that you are requesting in the motion;
- e. your full name and your original signature;
- f. a certificate of service certifying that you sent the document to the defendant(s) and specifying the date that you sent the document, how you sent the document (for example, by United States Mail, Federal Express, or hand delivery), and the address to which you sent the document.

For more information on filing documents with the Court, please see Federal Rules of Civil Procedure 5–11, and Local Rules 1.05, 1.06, and 3.01.

4. Responding to Motions

You must timely respond to any motion filed by any of the defendants unless you do not oppose the relief requested in the motion. If you do not respond to a motion, the Court will assume that you do not oppose the relief requested in the motion. Under Local Rule 3.01(b), you must file any response within fourteen (14) days after it is served. If you miss a filing deadline, you must file a motion asking the Court to allow you to file your response late.

5. Directly Corresponding With the Court Prohibited

You may not directly correspond with the Court (or any individual judge) in the form of letters or similar documents. Instead, everything that you submit for the Court’s consideration must be filed through the Clerk’s Office. The Court will not respond to anything that is not filed through the Clerk’s Office, will strike it from the case file, and will return it to you.

6. Legal Assistance Program

The Tampa Chapter of the Federal Bar Association operates a Legal Information Program on Tuesdays from 11:00 a.m. to 12:30 p.m. on the second floor (next to the Clerk’s Office) of the Sam M. Gibbons United States Courthouse, 801 North Florida Avenue, Tampa, Florida 33602.

Through that program, pro se litigants may consult with a lawyer on a limited basis for free. More information about the program is available on the Court's website at https://www.flmd.uscourts.gov/pro_se/docs/pro-seLegal_Assist.htm.