

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

ELIAS MAKERE, FSA, MAAA,

Plaintiff,

vs.

Case No. 4:21cv96-MW-MAF

HON. E. GARY EARLY, ALJ,

Defendant.

_____ /

ORDER

Plaintiff, proceeding pro se, sought to initiate this case by submitting a civil rights complaint under 42 U.S.C. § 1983, ECF No. 1, and an application for proceeding without payment of the filing fee, ECF No. 2. Neither of those documents can be addressed at this time because they are not properly signed.

Rule 11 requires that “[e]very pleading, written motion, and other paper must be signed by at least one attorney of record . . . or by a party personally if the party is unrepresented.” Fed. R. Civ. P. 11(s). “The court must strike an unsigned paper unless the omission is promptly corrected

after being called to the attorney's or party's attention.” Fed. R. Civ. P.

11(a).

In this case, Plaintiff sought to affix an electronic signature to both the complaint, see ECF No. 1 at 6, 22, and the in forma pauperis motion, ECF No. 2 at 2. However, the local rules for this Court provide that documents filed by pro se parties must include “the party’s handwritten signature,” not an electronic signature. N.D. Fla. Loc. R. 5.1(E). Only attorneys are permitted to electronically file documents and do so with an electronic signature. N.D. Fla. Loc. R. 5.4(C).

Accordingly, to proceed with this case, Plaintiff must submit a complaint containing his handwritten signature. Furthermore, Plaintiff must either pay the filing fee for this case or submit an in forma pauperis motion which contains his handwritten signature. Moreover, Plaintiff’s prior motion, ECF No. 2, was not on the form used in this Court. Plaintiff will be provided the correct form and he shall have until **March 22, 2021**, to comply with this Order. No further action will be taken on this case until he does so.

Accordingly, it is

ORDERED:

1. The Clerk of Court shall forward to Plaintiff the form used in this Court for requesting leave to proceed in forma pauperis.

2. Plaintiff shall have until **March 22, 2021**, to file an amended civil rights complaint, which contains his original signature, and an amended in forma pauperis motion on the form provided to him with this Order.

3. **Failure to comply with this Court Order may result in a recommendation of dismissal of this action.**

4. The Clerk of Court shall return this file upon receipt of Plaintiff's compliance with this Order or no later than March 22, 2021.

DONE AND ORDERED on February 22, 2021.

S/ Martin A. Fitzpatrick

MARTIN A. FITZPATRICK
UNITED STATES MAGISTRATE JUDGE