

## Filing Documents in Criminal Cases

At this time, criminal case initiating documents may not be filed electronically; these types of documents must be filed with the Clerk of Court. The case will be opened by the Clerk's Office, and all electronic filing participants attached to the case at that time will receive a Notice of Electronic Filing (NEF) email unless the case is sealed. This email will indicate that the case has been opened and will provide a link to the case initiating document.

The NEF will contain the case number, a hyperlink to the docket sheet (access requires a PACER login and password), the document number, and a hyperlink to the scanned case initiating PDF document (Access requires a PACER login and password, however, participants will receive a free look at the document). Case participants may file their public documents electronically once the case has been opened by the clerk unless the case is sealed. Documents to be filed in sealed cases must be presented to the Clerk's Office in paper format.

## Sealed Documents

The system will not allow an attorney user to cause a PDF to be sealed. Attorney users who attempt to file a sealed document will receive notification of this fact prior to the final acceptance screen. Therefore, sealed documents must be submitted to the Clerk's Office for filing during normal business hours. Note that special *ex parte* events have been created for the filing of Rule 35 and 5k.1 motions.

## E-Filing Documents in Criminal Cases - A Step By Step Guide

Filing in criminal cases is very similar to filing in a civil case except that the menu options differ slightly. Registered filers will use the ***Criminal*** menu option to electronically file (or "e-file") PDF documents with the Court in all criminal (CR) and magistrate (MJ) cases. This section of the User's Guide describes the process for filing a **Motion** in a criminal case.

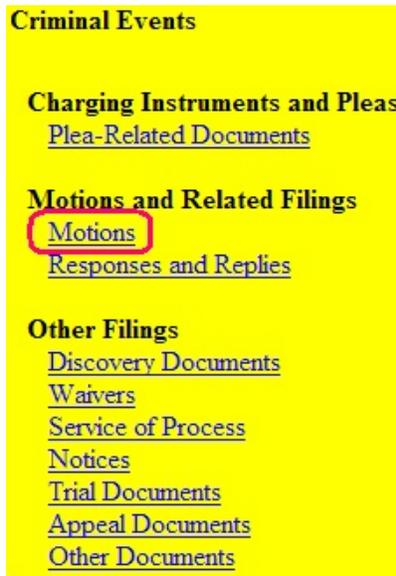
After successfully logging into ECF which includes checking an acknowledgment box regarding redaction requirements, follow these steps to e-file a pleading in a criminal case.

### Step 1: Select "Criminal" from the Blue Menu Bar



Mouse-clicking the ***criminal*** menu option located in the **blue** menu bar will open the criminal menu which displays all of the events from which you may choose for your filing.

Click on “**Motions**” under Motions and Related Filings as shown below:



## Step 2: Enter the Case Number in which the Document is to be Filed

Enter the number of the case in which you are filing a motion. Acceptable formats are listed to the right of the case number input field:

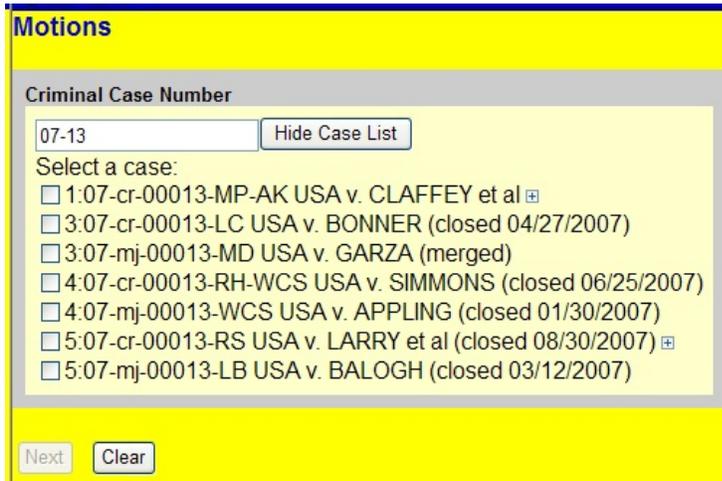
A screenshot of a yellow form titled "Motions". It has a section for "Criminal Case Number" with a text input field. To the right of the field, the text reads: "99-12345, 1:99-cv-12345, 1-99-cv-12345, 99cv12345, or 1:99cv12345". At the bottom left are "Next" and "Clear" buttons.

For this example, case number reference **07-13** has been entered:

A screenshot of the same yellow "Motions" form. The "Criminal Case Number" input field now contains "07-13". A "Find This Case" button is visible to the right of the input field. "Next" and "Clear" buttons are at the bottom left.

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Mouse-click [\[Find This Case\]](#) or press enter to allow the system to search for all matches to the specified case number. If the number you added matches more than one case, you will see a menu such as the one below. Otherwise, you would choose the applicable defendant (in a multi-defendant case) and click the **Next** button.



**Motions**

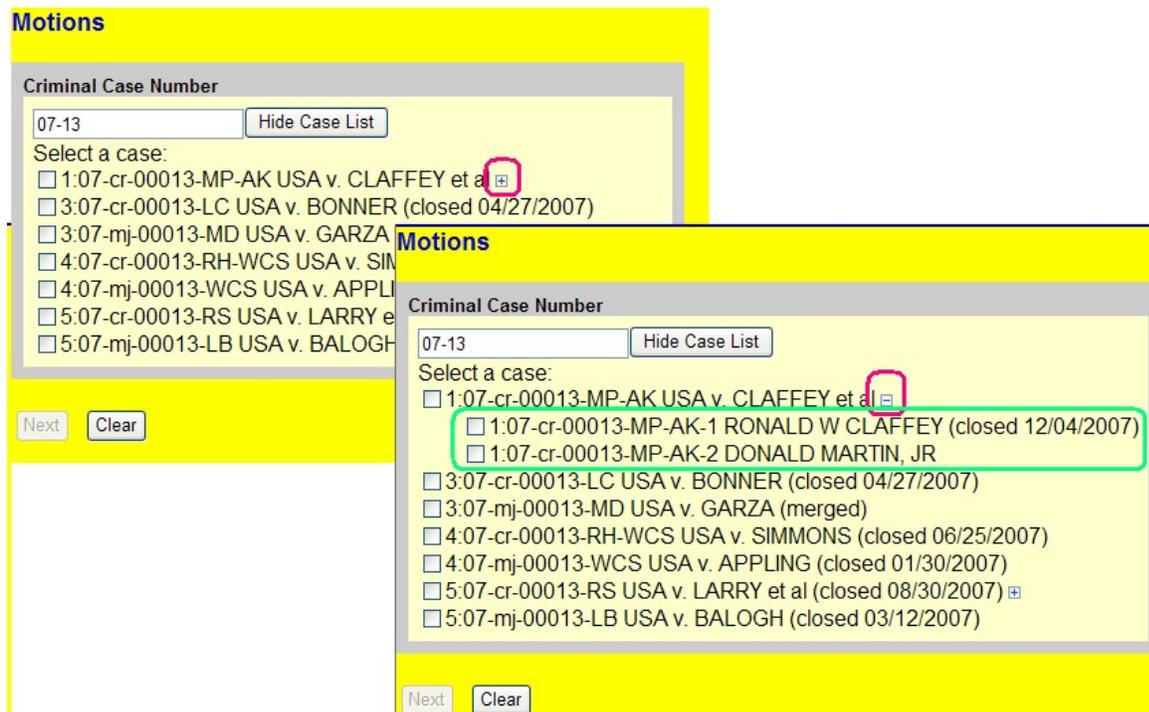
Criminal Case Number

07-13

Select a case:

- 1:07-cr-00013-MP-AK USA v. CLAFFEY et al
- 3:07-cr-00013-LC USA v. BONNER (closed 04/27/2007)
- 3:07-mj-00013-MD USA v. GARZA (merged)
- 4:07-cr-00013-RH-WCS USA v. SIMMONS (closed 06/25/2007)
- 4:07-mj-00013-WCS USA v. APPLING (closed 01/30/2007)
- 5:07-cr-00013-RS USA v. LARRY et al (closed 08/30/2007)
- 5:07-mj-00013-LB USA v. BALOGH (closed 03/12/2007)

Notice that 1:07-cr-00013-MP-AK USA v. CLAFFEY et al in the example above has a plus sign to the right of the case number. Clicking the plus sign expands the details about 1:07cr13 and allows a user to file a pleading as to a specific defendant's **case**:



**Motions**

Criminal Case Number

07-13

Select a case:

- 1:07-cr-00013-MP-AK USA v. CLAFFEY et al
- 3:07-cr-00013-LC USA v. BONNER (closed 04/27/2007)
- 3:07-mj-00013-MD USA v. GARZA
- 4:07-cr-00013-RH-WCS USA v. SIM
- 4:07-mj-00013-WCS USA v. APPLI
- 5:07-cr-00013-RS USA v. LARRY e
- 5:07-mj-00013-LB USA v. BALOGH

**Motions**

Criminal Case Number

07-13

Select a case:

- 1:07-cr-00013-MP-AK USA v. CLAFFEY et al
- 1:07-cr-00013-MP-AK-1 RONALD W CLAFFEY (closed 12/04/2007)
- 1:07-cr-00013-MP-AK-2 DONALD MARTIN, JR
- 3:07-cr-00013-LC USA v. BONNER (closed 04/27/2007)
- 3:07-mj-00013-MD USA v. GARZA (merged)
- 4:07-cr-00013-RH-WCS USA v. SIMMONS (closed 06/25/2007)
- 4:07-mj-00013-WCS USA v. APPLING (closed 01/30/2007)
- 5:07-cr-00013-RS USA v. LARRY et al (closed 08/30/2007)
- 5:07-mj-00013-LB USA v. BALOGH (closed 03/12/2007)

**Trouble-Shooting**

If the case number has been entered incorrectly, click **[Clear]** to re-enter. If the computer prompts that you entered an invalid case number, click **[Back]** to re-enter. When the case number is correct and there is only one possible match, the **[Next]** button will appear allowing you to mouse-click it and move on to the next screen.

If your case number matches more than one case in the FLND CM/ECF database, you will be required to select the appropriate case by placing a check in the box preceding the desired case number with your mouse. Then click **[Next]**.

**Motions**

Criminal Case Number The number 1 stands for defendant 1  
CLAFFEY

1:07-cr-13-1 Hide Case List

Select a case:

- 1:07-cr-00013-MP-AK USA v. CLAFFEY et al
- 1:07-cr-00013-MP-AK-1 RONALD W CLAFFEY (closed 12/04/2007)
- 1:07-cr-00013-MP-AK-2 DONALD MARTIN, JR
- 3:07-cr-00013-LC USA v. BONNER (closed 04/27/2007)
- 3:07-mj-00013-MD USA v. GARZA (merged)
- 4:07-cr-00013-RH-WCS USA v. SIMMONS (closed 06/25/2007)
- 4:07-mj-00013-WCS USA v. APPLING (closed 01/30/2007)
- 5:07-cr-00013-RS USA v. LARRY et al (closed 08/30/2007)
- 5:07-mj-00013-LB USA v. BALOGH (closed 03/12/2007)

Next Clear

If your filing is being made on the behalf of more than one defendant in a case, then do not check the case number for a specific defendant as shown above. Instead, check the box for the master case. All master case numbers are associated with a case style containing *et al*, e.g., 1:07-cr-00013-MP-AK USA v. CLAFFEY **et al**.

### Step 3: Verify that the Case Number and Case Caption Are Correct

After clicking **[Next]**, you will see an additional screen that includes the case number and style. Click **[Next]** after you have verified the accuracy of the case number. If incorrect, click the browser’s **Back** button and search for the case number again. Click **[Next]** on that screen to move forward. DO NOT use the browser’s Forward button.



### Step 4: Designate the defendant(s) to Which the Filing Relates

In Step 2 above, you read how one can apply a filing to a specific defendant’s *case record* or as to a master case (the case associated with the style followed by *et al.*). In this step, you will be attributing the filing to a specific *person* or *persons* in that case.

Mouse-click the name of the party or parties on whose behalf the document is being filed (i.e., the “filer”). Use the Control key on your keyboard (Ctrl) to select more than one defendant. Click **[Next]** when finished.



## Step 5: Create an Attorney/Party Association

If this is the first e-filing made by an attorney for a party in a case, the system will ask the user to make a party/attorney association as shown in the example below:

**ECF** Civil Criminal Query

**Motions**  
[1:07-cr-00013-MP-AK USA v. CLAFFEY et al](#)

**The following attorney/party associations don't exist for this case.**

**Please check the box on the left of the screen if you intend to become counsel of record for the listed party.**

**If not, then the box should be *unchecked*.**

DONALD MARTIN, JR (pty:dff) represented by Traci Hitchcock (aty)

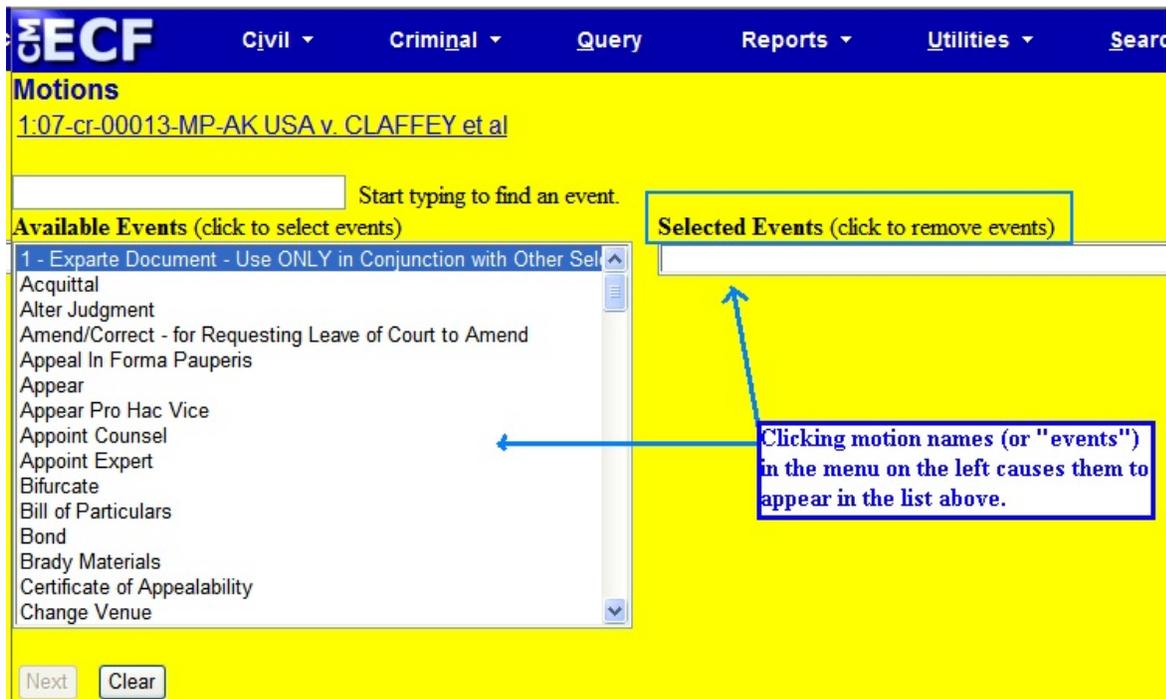
Next Clear

If you intend to represent the filing party in this case, ensure the box located to the left of the party's name is checked and click [\[Next\]](#). Creating an attorney/party association will cause the filing attorney's name to be added to the docket sheet. The filing attorney will also receive Notice of Electronic Filings (NEFs) in the case.

If you are filing for an attorney who is unavailable (i.e., on vacation, out of the office, etc.), you are using your own ECF password and login, and you do not intend to represent the party in this action, **uncheck** the association box next to the party name and click [\[Next\]](#). Your name will not be added to the docket sheet header, you will not be an attorney of record in the case, and you will not receive NEFs regarding future filings.

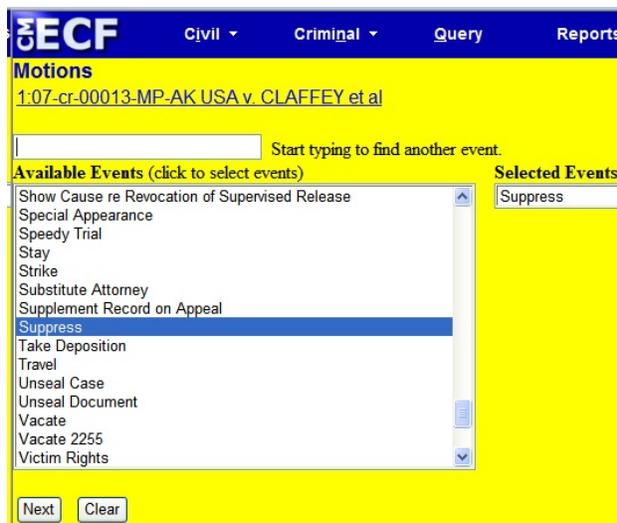
## Step 6: Choose the Correct Event from the Criminal Motions Menu

The **Motions** screen appears and displays a motion selection field. Clicking on the name of a motion causes the event to be added to the "Selected Events" field.



Click on event names in the "Selected Events" field to remove them if added in error.

Motion events can be reviewed in the menu on the left by using the mouse or arrow keys on the keyboard to scroll through them or by pressing the first letter of the desired motion relief. For demonstration purposes, highlight "Suppress" and click on [\[Next\]](#).



Note: Multiple motion “reliefs” may be selected *within the same menu category*. However, this technique should only be used when the selections are related to the motion request as a whole. Do not select multiple reliefs if they involve unrelated requests such as a “Motion to Sever” and a “Motion to Take Deposition”.

Unrelated motions should be filed using *separate CM/ECF entries* so that each PDF receives a unique docket entry number which may be later referenced in an order.

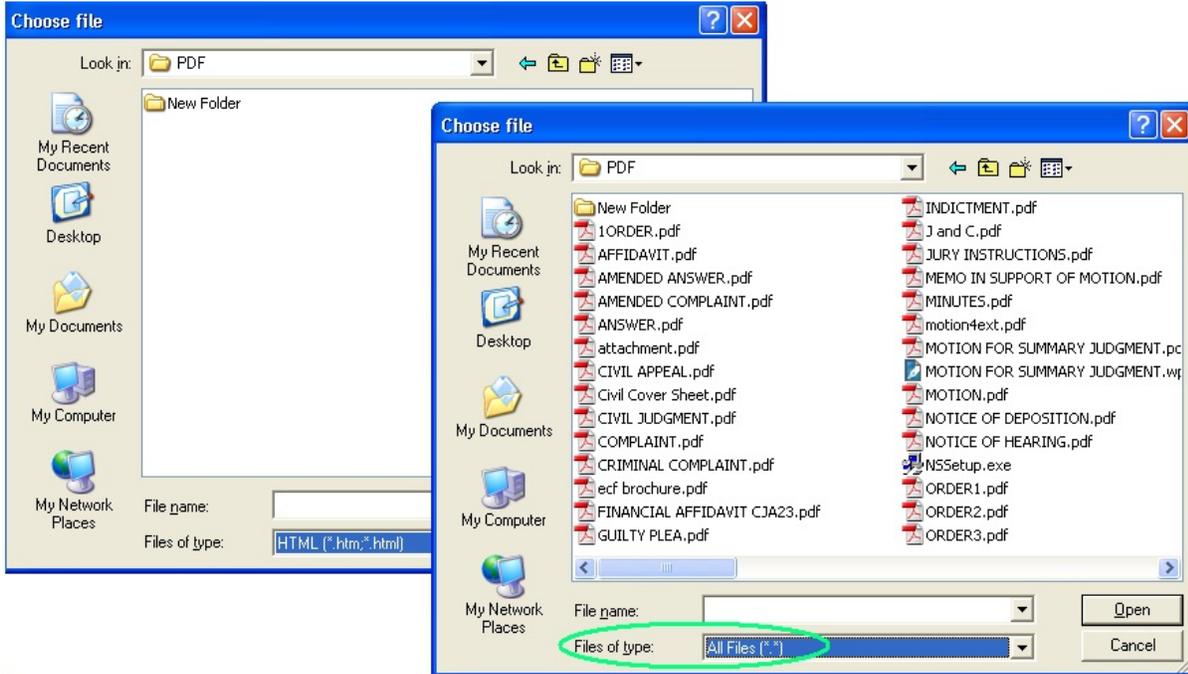
### Step 7: Specify the PDF Files to be Uploaded into the Court’s Database

A field is now displayed for locating and adding the PDF file that is your pleading (called the “Main Document”) as well as PDFs representing any attachments (attachments may include items filed in support of your pleading if they have been stored in a different file from the main pleading body).

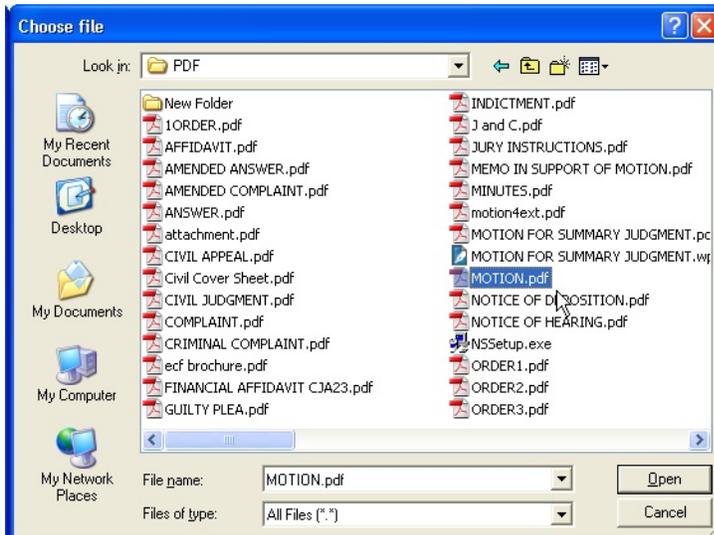
ECF only accepts files in portable document format (PDF). E-filers must attach a PDF-formatted electronic copy of the a “Main Document” when prompted by the system.

Click on the **[Browse]** button to open the file upload screen for the Main Document and then for attachments if applicable.

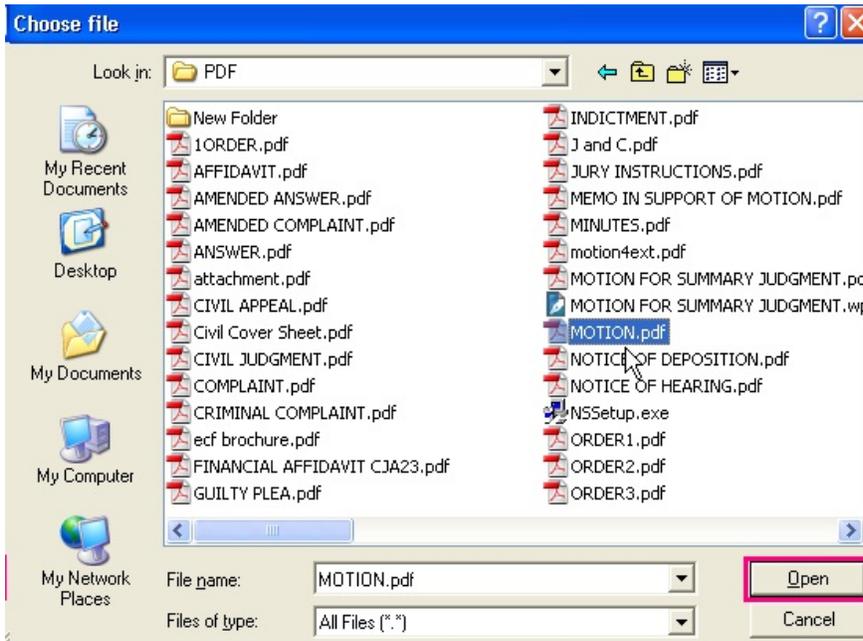
After clicking **[Browse]**, you may need to change the **Files of type** drop-down option to **All Files (\*.\*)**:



Navigate to the appropriate directory and file name to select the PDF document you wish to file. Highlight the file to be copied and uploaded.



Once you have verified that the selected document is correct by right-clicking the document name and choosing an “Open with...” option such as “Open with Adobe Reader”, close or minimize Adobe Acrobat and click on the **[Open]** button.



ECF closes the “**File Upload**” screen and inserts the PDF file name and location (known as the “file path”) in the Filename field on the Motions screen. Repeat this action for each attachment PDF file if applicable. The attachment “Description” field is required, and the “Category” field is optional. These fields are used by court staff when reviewing your case.



A new attachment row will appear each time an attachment is added. When finished, click [\[Next\]](#).

Attachments	Category	Description
1. <input type="text" value="O:\CM-ECF\PDF\attachment.pdf"/> <input type="button" value="Browse..."/>	<input type="text"/> ▾	<input type="text"/> <input type="button" value="Remove"/>
2. <input type="text"/> <input type="button" value="Browse..."/>	<input type="text"/> ▾	<input type="text"/>

If there are no attachments to the motion, click on [\[Next\]](#) leaving the attachment fields blank.

### *Error Messages*

In the event you selected and highlighted a file that is *not* in PDF format or you have selected a damaged PDF file, ECF will display the following error message after you click on the [\[Next\]](#) button. Click the [\[Back\]](#) button on the CM/ECF screen to return to the previous screen and browse to find the correctly formatted pleading.

ECF
Civil ▾
Criminal ▾
Query
Reports ▾
Utilities ▾

**Motions**  
[1:07-cr-00013-MP-AK USA v. CLAFFEY et al](#)

ERROR: Document is not a well-formed PDF document (no further information is available).

Error File: O:\CM-ECF\PDF\MOTION FOR SUMMARY JUDGMENT.wpd

Submitted Entries

File Type	Filename	Category	Description
Main Document	O:\CM-ECF\PDF\MOTION FOR SUMMARY JUDGMENT.wpd	-	-

***Damaged PDF Files***

If you have selected a PDF file and have received an error message, it is possible that the PDF file is damaged. To repair a damaged or poorly formatted PDF file, minimize your browser and follow the instructions below:

1. Open the original word processing file.
2. Click on ***File*** and ***Save as...***
3. Give the word processing document a new name (i.e., different from the original name).
4. Convert the new word processing document into PDF.
5. Maximize your browser.
6. Click the **[Back]** button until you return to the file upload screen.
7. Click the **[Browse]** button and select the new PDF file that you created. Then click **[Next]**.

***Failure to Select A Document to be File***

If you fail to select a PDF document to file during the docketing of the motion or any other type of event, ECF will display the error message depicted below:



Clicking **[OK]** will return you to the file upload screen. You cannot proceed without attaching a PDF document.

### *Proposed Orders*

Proposed orders should not be uploaded in PDF format as attachments. Instead, proposed orders should be saved in word processing format and emailed to the applicable judge's email address. A [list](#) of email addresses may be found on the Court's Internet web site.

**NOTE:** Chief Judge Hinkle does not require attorneys to submit proposed orders to him via email. The only proposed order required by Chief Judge Hinkle is the Order for Default Judgment provided by the U.S. Attorney's Office.

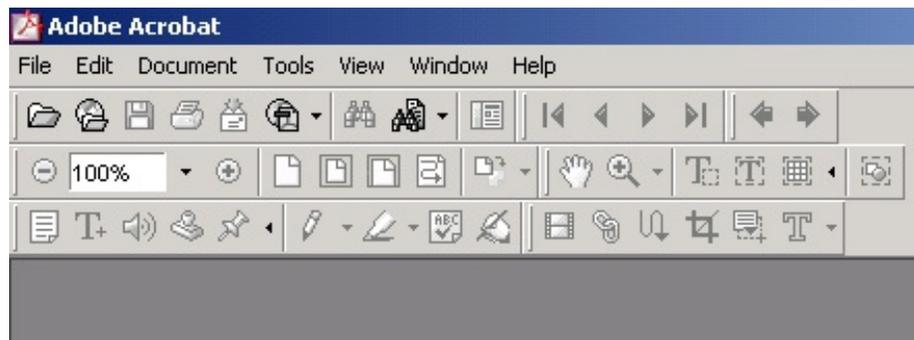
### *Attachments that Must be Scanned*

Scanned attachments larger than 10MB in size must be divided into two or more smaller files and attached individually using the method above ([1 megabyte \(MB\) = 1024 kilobytes \(KB\)](#)).

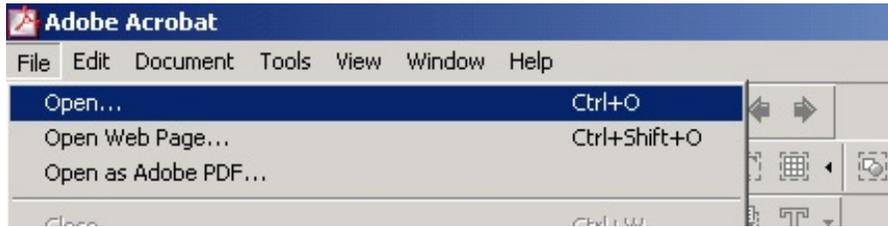
### *Determining File Sizes*

There are two methods for determining the size of a file:

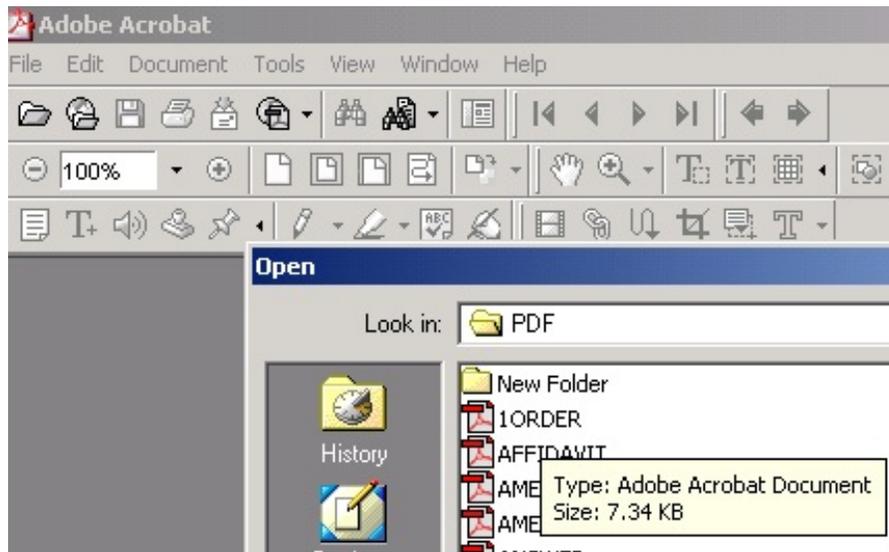
1. Open an application that gives you access to your stored PDF files; this could be Adobe Acrobat Full Package, Adobe Reader, or the Window's "Explore" option. (The "Explore" option may be accessed by right-clicking on the [\[Start\]](#) button and choosing *Explore*.) The following graphics were obtained using Adobe Acrobat's Full Package.



2. Click on *File* and choose *open*.



3. Navigate to the folder containing your PDF file(s), open the folder, and hold the mouse over the file name.



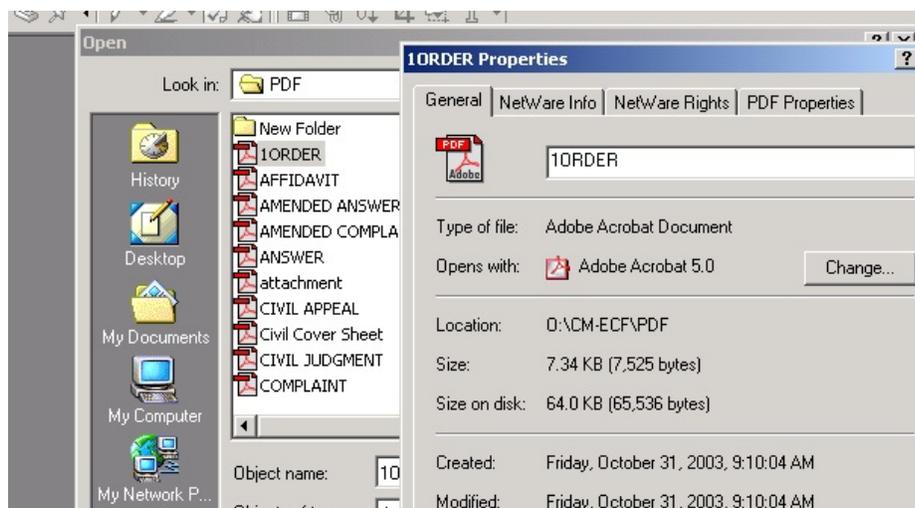
You will notice that Windows provides both "Type" and "Size" information about your file in a pop-up graphic. In this example, the PDF file is approximately 7.34 KB in size; well under the 10MB limit.

4. The second method includes two additional steps. Once you have navigated to the screen shown in step 3, right-click on the file name and left-click on *properties*.

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A pop-up window will appear giving you access to descriptive information about the selected file including its size.



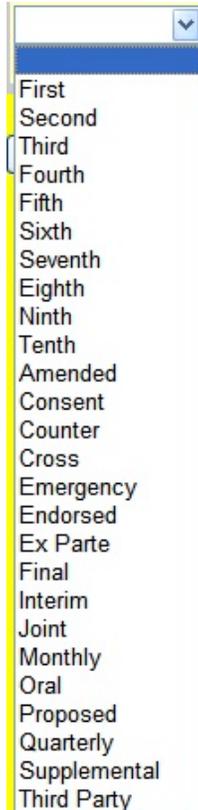
## Step 8: Modifying Docket Text

Attorneys are provided two opportunities to modify the docket text generated by the chosen docketing event(s) including a drop down box and a text editing box:



The screenshot shows a yellow header with the text "Motions" and "1:07-cr-00013-MP-AK USA v. CLAFFEY et al". Below this is a grey bar with the text "Docket Text: Modify as Appropriate." The main area contains a docket text entry: "MOTION to Suppress [Text Editing Box] by DONALD MARTIN, JR as to RONALD W CLAFFEY . (Attachments: # (1) Attachment A) (Hitchcock, Traci)". A red box labeled "Drop-down Box" points to a small blue arrow icon on the left of the text. Another red box labeled "Text Editing Box" points to the white text input field. At the bottom left are "Next" and "Clear" buttons.

The drop-down box contains document modifiers such as those shown below. Click the down-arrow to open the selection list. Click the desired modifier to cause it to be added to the docket text. Only one modifier may be selected from this list. This field may remain blank if desired.

- 
- First
  - Second
  - Third
  - Fourth
  - Fifth
  - Sixth
  - Seventh
  - Eighth
  - Ninth
  - Tenth
  - Amended
  - Consent
  - Counter
  - Cross
  - Emergency
  - Endorsed
  - Ex Parte
  - Final
  - Interim
  - Joint
  - Monthly
  - Oral
  - Proposed
  - Quarterly
  - Supplemental
  - Third Party

For example, you would want to select “Emergency” from this list if you were filing an emergency motion so that the nature of the pleading is apparent to the case manager. (It is also recommended that you call the Clerk’s Office re emergency filings.)

The text editing box holds approximately 256 characters and can be used to further described the nature of your pleading. Added text will appear in the final docket text in italics.

This area may also be used to describe the situation surrounding your filing. For instance, if you filed a motion and attached the wrong PDF file, you should file the motion *again*, choose *Amended* from the dropdown list, and then add text to indicate that the amended motion is being filed to correct an attachment error.

**The text box does not take the place of choosing the correct event or events.** If you are filing a compound motion and chose an event that describes only one half of the requested relief, you must start over or click the browser's [\[Back\]](#) button to return to the screen where you are directed to choose all applicable filing events. Then, you must use only the CM/ECF navigation buttons to move forward again. **DO NOT** use the browser's "Forward" button. Otherwise, the portion of the relief not docketed using a specific event will not appear on the assigned judge's pending motions report.

### *[Amended Motions](#)*

The following process may be used to correct either the text or the PDF attachments regarding a previously filed motion, In addition, use these directions to file an Amended Motion:

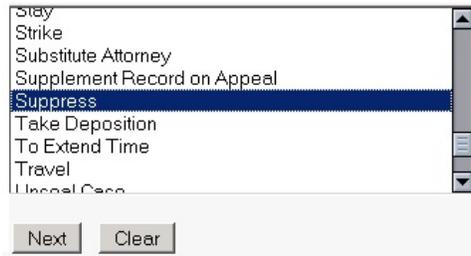
1. Re-file the entire motion (including all attachments) using a standard docket entry found under the *Motions* category. For example, an "Amended Motion to Suppress" would be filed by clicking on *Motions* and highlighting *Suppress* on the screen that appears after you input the case number and the filer information.

#### **Motions and Related Filings**

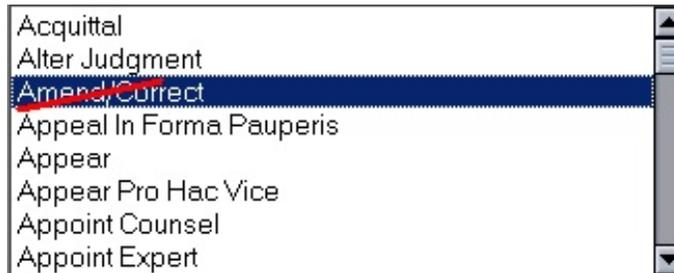
[Motions](#)

[Responses and Replies](#)

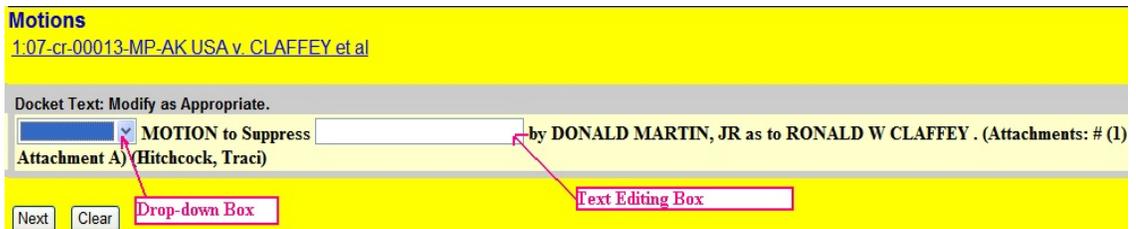
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**Note: Do not use the relief "amend/correct" unless you are requesting permission from the court to amend. This code should only be used if you are filing a "Motion to Amend/Correct Pleading A".**



2. Select "Amended" from the drop-down menu when you reach the screen that allows you to preview your docket text.



**Note: Documents other than motions may be amended using the event "Amended Document (NOT motion)".**

## Step 9: Submit the Pleading to the Court Through CM/ECF

Click on the [\[Next\]](#) button. The **Attention!!** Screen opens with the complete text for the docket sheet (a.k.a. the docket report) including your added text in italics and also reveals the file path for the attachments you chose to associate with this e-filing:

**Motions**  
[1:07-cr-00013-MP-AK USA v. CLAFFEY et al](#)

Docket Text: Final Text  
**Emergency MOTION to Suppress *discovery re email communications* by DONALD MARTIN, JR as to RONALD W CLAFFEY. (Attachments: # (1) Attachment A) (Hitchcock, Traci)**

**Attention!!** Pressing the NEXT button on this screen commits this transaction. You will have no further opportunity to modify this transaction if you continue.  
 Have you redacted?

Source Document Path (for confirmation only):  
 O:\CM-ECF\PDF\MOTION.pdf pages: 1  
 O:\CM-ECF\PDF\attachment.pdf pages: 1

Pressing [\[Next\]](#) at this screen will commit the transaction to the docket.

### *Aborting Your Entry*

You can abort the ECF filing at this point before clicking [\[Next\]](#) by clicking on any hyperlink located on the **Blue** menu.

### *Correcting Your Entry*

If you need to modify information *before* clicking [\[Next\]](#) on the **Attention!!** screen, click the [\[Back\]](#) button on the browser's toolbar until you reach the screen you wish to alter.

Once an alteration has been made, the user **must** use the navigational buttons on each CM/ECF screen to proceed with the entry from that point. Clicking the [\[forward\]](#) button on the browser's tool bar will not allow the changes to be accepted by the system.

After returning to the **Attention!!** screen and making a final review of the text, click the [\[Next\]](#) button to file the pleading. Clicking [\[Next\]](#) will also cause the Notice of Filing (NEF) to be created.

**Note:** Once you click the [\[Next\]](#) button on the **Attention!!** screen, you cannot go back and modify information.

## Step 10: Notice of Electronic Filing (NEF)

**ECF** Civil Criminal Query Reports Utilities Search Logout

Motions  
1:07-cr-00013-MP-AK USA v. CLAFFEY et al

U.S. District Court  
Northern District of Florida

**Notice of Electronic Filing**

The following transaction was entered by Hitchcock, Traci on 9/28/2009 at 2:29 PM CDT and filed on 9/28/2009

Case Name: USA v. CLAFFEY et al  
Case Number: 1:07-cr-00013-MP-AK  
Filer:  
Document Number: 75

Docket Text:  
Emergency MOTION to Suppress *discovery re email communications* by DONALD MARTIN, JR as to RONALD W CLAFFEY. (Attachments: # (1) Attachment A) (Hitchcock, Traci)

1:07-cr-00013-MP-AK-1 Notice has been electronically mailed to:

ARTHUR HUNTLEY JOHNSON  
FRANCIS TODD WILLIAMS  
FRED HADDAD  
Traci Hitchcock Traci\_Abrams@flnd.uscourts.gov

1:07-cr-00013-MP-AK-1 Notice will NOT be electronically mailed to:

THOMAS L EDWARDS  
SCHACKOW MERCADANTE & EDWARDS PA - GAINESVILLE FL  
4545 NW 8TH AVE  
GAINESVILLE, FL 32605

The following document(s) are associated with this transaction:

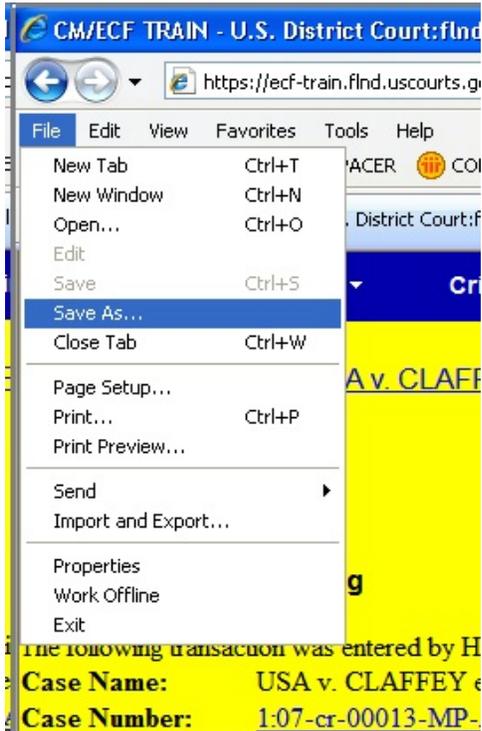
Document description: Main Document  
Original filename: n/a  
Electronic document Stamp:

The NEF shown above provides confirmation that CM/ECF has registered your transaction and the pleading is now an official court document. It displays the date and time of your transaction, the docket entry number that was assigned to your document, and other pertinent case and document validation information.

The **NEF** may always be obtained through the docket report by checking the box labeled **“Include links to Notice of Electronic Filing”**. This is the easiest method for obtaining a copy of the NEF. Otherwise, the NEF can be either saved to your hard drive or printed.

Record the document number on the PDF file contained within your hard drive or network drive for future reference. This can be done by renaming your PDF file using the case and document number assigned by CM/ECF as part of that new name.

*Printing or Saving the NEF.* If you want to print the NEF, select **print** from the browser's **file** menu. If you want to save the NEF, select **File** on the browser's tool bar and choose **Save As...** from the drop-down window.



*Document transmission.* ECF will electronically transmit via email the NEF to attorneys of record in the case who have supplied their e-mail addresses to the Court and have received their FLND CM/ECF login name and password. The ECF filing report also displays the names and addresses of individuals who will **not** be electronically notified of the filing; all pro se parties fall into this category.

**It is the filer's responsibility to ensure that non-ECF parties and attorneys (including newly admitted attorneys and attorneys who have had their NEFs temporarily turned off due to reported technical difficulties) are properly served with your filing.** Pro se parties will not have access to e-file and must be served with a hard copy of all filed pleadings unless that party is also an attorney admitted to practice within the Northern District who has previously registered for e-filing.

**Note:** All filings by attorneys will result in an NEF email that is sent to the filer, case participants, and to the court. If you have e-filed a pleading and have not received a confirmation NEF, then you should take steps to ensure that all parties were in fact served with your e-filing.

## **When Filings Contain Both Sealed and Public Parts**

Some filings contain both sealed and unsealed portions. The CM/ECF system will not allow you to file a sealed document and will not allow any user to file a combination of PDF documents that are both sealed and public within the same entry. Therefore, attorneys are instructed to file the unsealed portion electronically, print the resulting NEF, attach the NEF to the sealed portion of the filing, and submit both the NEF and the sealed documents to the clerk for secure filing.

Notes: Sealed motions and documents must be filed with the Clerk in their entirety during normal business hours.

The filing of sealed document, except for attorney fee records, motion to reduce sentence and 5k.1 motions, must be approved by the court prior to filing.

Special events have been created for the public and the sealed portion of Attorney Time Records, reduction, and 5k.1 motions.