

# Northern District of Florida

## CM/ECF Attorney User Guide

### Chapter 8

#### **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, the document number, and a hyperlink to the scanned case initiating PDF 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 in the system. 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.

#### **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 PDF documents with the Court in all criminal (CR) and magistrate (MJ) cases. This section of the User's Manual describes the process for filing a **Motion** in a criminal case.

## Step 1: Select the Type of Document to be Filed

Select the ***criminal*** menu option located in the menu bar which will open the criminal menu and display 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 and click on Next.

Motions

Criminal Case Number

4:12-cr-5

Select a case:

- 4:12-cr-00005-RH USA v. MORDICA et al
- 4:12-cr-00005-RH-CAS-1 JEFFERY MORDICA (closed 10/22/2012)
- 4:12-cr-00005-RH-CAS-2 DARRYL VAUGHN (closed 11/03/2012)
- 4:12-cr-00005-RH-3 ERNEST MORDICA

**Step 3: Designate the defendant(s) to Which the Filing Relates**

Click in the boxes to place a check next to each defendant's name to which the filing relates. If it relates to all defendants in the case, check the box for all defendants and leave the other boxes unchecked. Click on Next when finished selecting defendants. If there is only one defendant then you will not have an option to select which defendant the filing relates.

Motions

Criminal Case Number

4:12-cr-5-3

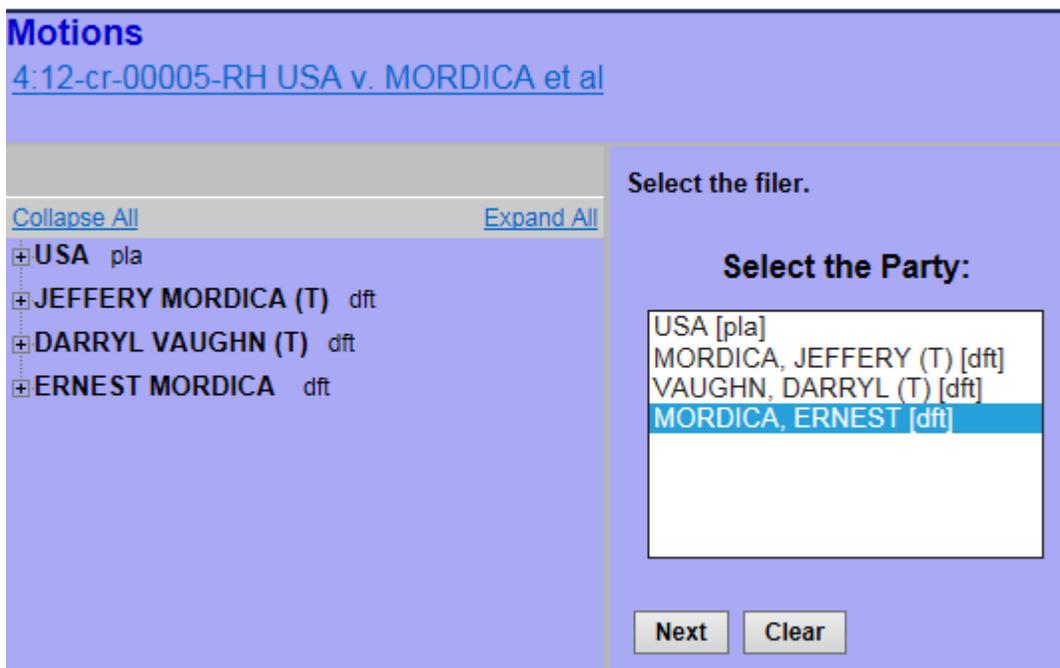
Select a case:

- 4:12-cr-00005-RH USA v. MORDICA et al
- 4:12-cr-00005-RH-CAS-1 JEFFERY MORDICA (closed 10/22/2012)
- 4:12-cr-00005-RH-CAS-2 DARRYL VAUGHN (closed 11/03/2012)
- 4:12-cr-00005-RH-3 ERNEST MORDICA

## Step 4: Designate the Party Filing the Document

Highlight the name of the party filing the motion. If you represent more than one party or are filing on the behalf of more than one party, then you may select the entire group by selecting the first party, pressing and holding down the control (Ctrl) key, and selecting the remaining parties as shown below.

Click on the Next button after highlighting the applicable names.



The screenshot shows a web interface for filing motions. At the top, it says "Motions" and "4:12-cr-00005-RH USA v. MORDICA et al". Below this is a list of parties with expand/collapse icons: USA [pla], JEFFERY MORDICA (T) [dft], DARRYL VAUGHN (T) [dft], and ERNEST MORDICA [dft]. To the right, there is a "Select the filer." section with a "Select the Party:" dropdown menu. The dropdown menu is open, showing the same list of parties, with "MORDICA, ERNEST [dft]" selected. At the bottom right, there are "Next" and "Clear" buttons.

## Step 5: Creating 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:

**Motions**  
[4:12-cr-00005-RH USA v. MORDICA 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*.

ERNEST MORDICA (pty:dft) represented by Elizabeth Evans (aty)

If you intend to represent the filing party in this case, check the box located to the left of the party's name and then 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 login, and you do not intend to represent the party in this action, **do not** check the association box(es) 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.

**Motions**  
 4:12-cr-00005-RH USA v. MORDICA et al

Start typing to find another event.

Available Events (click to select events)	Selected Events (click to remove events)
Bifurcate Bill of Particulars Bond Brady Materials Certificate of Appealability Change Venue Compel Consolidate Cases <b>Continue</b> Declaration of Mistrial Deferral of Prosecution Directed Verdict Disclosure Discovery Dismiss	<input type="text" value="Continue"/>

Next Clear

Multiple motions may be selected *within the same menu category* using the mouse and the control [Ctrl] key. The user should first click on the initial relief, press the control key on the keyboard, and select additional reliefs applicable to the pleading.

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 Substitute Attorney”.

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 by the applicable judge within an order.

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

A field is now displayed for locating and entering the PDF file of the document (pleading) you are e-filing. CM/ECF only accepts files in portable document format (PDF). E-filers must attach a PDF-formatted electronic copy of the pleading when prompted by the system.

**Motions**  
[4:12-cr-00005-RH USA v. MORDICA et al](#)  
 A description must be entered for each attachment added. You may select a category, but it is not required.  
**Select the PDF document and any attachments.**

**Main Document**  
 C:\Users\elawrence\Desktop\Testing PD

Attachments	Category	Description
1. <input type="text"/> <input type="button" value="Browse..."/>	<input type="text"/>	<input type="text"/>

You will select Browse and upload the main document and if you have any attachments you will upload those as well with a description of what the attachment is (i.e. Exhibit A). When you are finished uploading all documents hit Next.

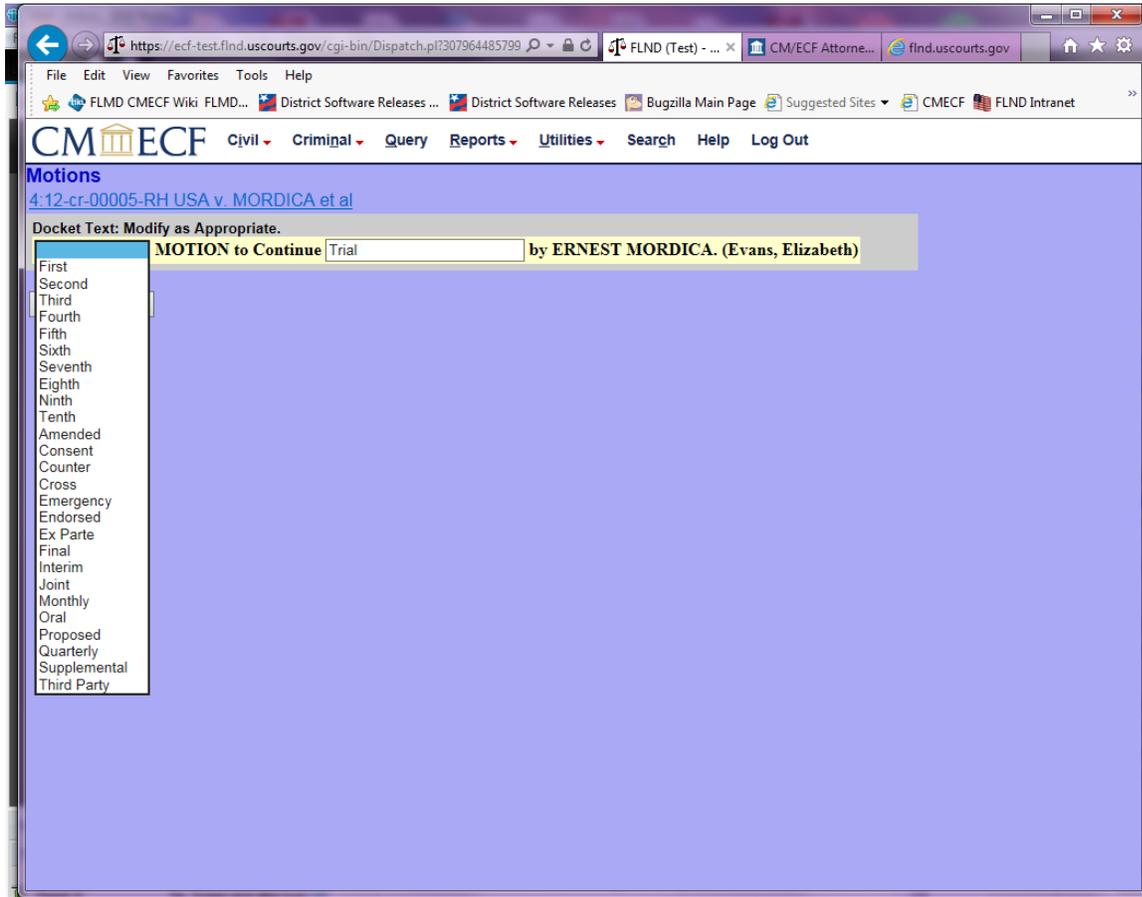
### Step 8: Modifying Docket Text

Open the modifier drop-down pick list. Select a modifier if appropriate; otherwise, leave this field blank.

For example, you would want to select an option from this list if you plan to file an Emergency motion so that the nature of your pleading stands out to the case manager. (It is also recommended that you alert the applicable Clerk's Office staff by phone regarding any emergency pleadings to be filed so that they may be referred to the judge as soon as possible.)

Click in the open text area to further describe your pleading. Added text will appear in the final docket text in italics.

If none of these options are applicable, then leave them blank.



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

Click on the Next button. The **Attention!!** Screen opens with the complete text for the docket sheet (a.k.a. the docket report):

**Motions**  
[4:12-cr-00005-RH USA v. MORDICA et al](#)

Docket Text: Final Text  
**MOTION to Continue *Trial* by ERNEST MORDICA. (Evans, Elizabeth)**

**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):*  
C:\Users\elawrence\Desktop\Testing PDF.pdf pages: 1

Review the text for typos or spelling errors and be sure that the text reflects the correct number of additional attachments. (NOTE: You will not see a reference to your main PDF pleading, i.e., the file you browsed for first before any additional attachments were contemplated, within the docket text.)

If you need to modify your entry, click the Back button on the browser's toolbar to find the screen you wish to alter. Once you have corrected the error, continue with the entry using the navigational buttons located on the CM/ECF screen. **DO NOT use the FORWARD button**, located on the browser's tool bar as ECF will not recognize the changes that were made.

When you are satisfied with the filing, hit Next. This will commit your filing and you will receive an NEF. The NEF provides confirmation that CM/ECF has registered your transaction and that the pleading is now an official court document. It also displays the date and time of your transaction, the attorney or court user who filed the document, the docket entry number that was assigned, the docket text, the names and e-mail addresses of attorneys who were served electronically, and the names and addresses of those who require service by U.S. mail.

For future reference, it is suggested that you note the docket entry number assigned by CM/ECF on your copy of the PDF file residing on your hard drive; this can be accomplished by renaming the file. This action will save you time and money should you require additional review of the filed document since you will be able to locate the document easily on your personal or network drive rather than accessing it through PACER.

ECF will electronically transmit the NEF to the attorneys of record in the case who have registered for e-filing. The NEF also displays the names and addresses of individuals who will **not** be electronically notified of the filing.