

Rule 5.1 FILING WITH THE COURT

(a) *Pleading Format.* Pleadings shall be typed, either double-spaced or one and one-half (1½) spaced on white paper of standard weight and eight and one-half (8½) x eleven (11) inches in size. ~~All pleadings shall be stapled at the upper left hand corner.~~ They shall be filed without backing. **Attachments or exhibits shall be tabbed at the bottom.** As used in these Rules, "pleadings" means all papers, including briefs, filed in a case. A sufficient space shall be reserved on the first page, in proximity to the title of the case and on the right hand side, for the filing stamp of the Clerk of Court and the case number. The first line of every page shall commence not less than two (2) inches from the top of the page to accommodate filing by the Clerk of Court.

When counsel is ordered to prepare proposed orders, each proposed order shall state what the order is concerning, e.g., order granting motion to compel.

(b) *Number of Copies.* All pleadings, motions, applications and briefs tendered to the Clerk of Court for filing shall consist of an original plus one copy.

(c) *Identification of Counsel in Pleadings.* The caption of every pleading shall conform with Fed. R. Civ. P. 10(a) and the front page on all pleadings shall contain the name, firm name (if any), address and telephone and facsimilie number (if any) of the attorney(s) in active charge of the case, which shall be placed in the upper left hand corner four (4) spaces above name of Court.

(d) *Identification of Complex Cases.* (See Local Rule 16.4.)

(e) *Prepayment of Fees.* Prepayment of all fees collectible by the Clerk of Court and prescribed by statute or by the Judicial Conference may be required by the Clerk of Court before furnishing the service therefor.

(f) *Failure to Pay Fees.* Except for notices of appeal and prisoner petition matters, the Clerk of Court is authorized to refuse to docket or file any suit or proceeding, writ or other process, or any paper or papers in any suit or proceeding until the filing fees are paid.

(g) *Proof of Service.* Except as otherwise provided in the Federal Rules of Civil Procedure, or by order of the Court, proof of service of any pleading, motion or other paper required to be served shall be made by a certificate of service in accordance with Fed. R. Civ. P. 5(d). Such certificate or affidavit shall be served with the pleading or paper served, or shall be endorsed

upon the pleading or papers served. The proof of service shall show the date, place and manner of service. (See Local Rule 26.1(d) re: filing of discovery pleadings.)

(h) *Facsimile Filing.* All papers shall be filed with the Clerk of Court as originals, signed in accordance with the Federal Rules of Civil Procedure. Papers transmitted by facsimile shall not be accepted for filing.

(i) *Facsimile Service.* Service upon an attorney or upon a party may be made by facsimile transmission in addition to but not in lieu of the procedures set forth in Fed. R. Civ. P. 5(b). The procedures required by Fed. R. Civ. P. 5(b) shall control the time of service.

(j) *Failure to Comply.* Documents which fail to comply with the provisions of this Rule shall be filed but may be subject to being stricken by the Court.

(k) *Place of Filing.* The City of Cheyenne in the District of Wyoming is hereby designated as the place where the records for this District Court shall be maintained. All suits and proceedings commenced in this Court, together with all pleadings, motions and other papers shall be filed with the Clerk of Court in the Cheyenne or Casper offices of the Clerk. However, when the Court is in session elsewhere in the District, such documents may then be filed with the Clerk of Court or the Court at the place where court is being held.