

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF KENTUCKY  
NORTHERN DIVISION  
AT COVINGTON  
CIVIL ACTION NO. 07-50-DLB**

**EDWARD ROBINSON,**

**PLAINTIFF**

**V.**

**SECRETARY, DEPARTMENT OF  
HOMELAND SECURITY,**

**DEFENDANT**

**MEMORANDUM ORDER**

Plaintiffs filed a *pro se* employment discrimination complaint in the United States District Court for the Southern District of Ohio, but that court granted defendant's unopposed motion to transfer venue to this district on March 7, 2007. On January 11, 2008, defendant filed two motions concerning the public disclosure of plaintiff's employment records. On January 15, 2008, plaintiff telephoned the chambers of the undersigned and indicated that he intends to file a response to the motions once he finds an attorney and/or is able.

Ordinarily, a response to a pending civil motion must be filed within fifteen (15) days. Allowing three days for mailing, plaintiff's response would be due on or before January 29, 2008. It is generally inappropriate for any litigant, including one proceeding *pro se*, to communicate directly with the court. Instead, a litigant should communicate through written pleadings filed in the record.

Because the plaintiff in this case has attempted to orally communicate only concerning a procedural issue -the timing of his responsive memoranda - the court will construe his telephone call *on this one occasion* as an oral motion for an extension of time. A brief extension will be granted, but proceeding *pro se* does not entitle a litigant to automatic or unlimited extensions. Plaintiff is forewarned that future communication with the court should be made in writing and

filed in the record.

Accordingly, **IT IS ORDERED:**

1. Plaintiff's construed oral motion for an extension of time in which to respond to defendant's two pending discovery motions is **granted**. Any written response shall be filed on or before **February 13, 2008**. No further extensions will be granted absent the filing of a written motion prior to the expiration of this deadline, and a strong showing of good cause. Plaintiff's inability to find an attorney does not constitute good cause;

2. That plaintiff shall serve upon defense counsel a copy of every further pleading or other document submitted for consideration by the Court. He shall include with the original papers to be filed with the Clerk of Court a certificate stating the date a true and correct copy of the document was mailed to counsel. Any paper received by a District Judge or Magistrate Judge which has not been filed with the Clerk, or which fails to include a certificate of service, will be disregarded by the Court. If a motion is filed without the requisite certificate of service, it will be denied without consideration of its merits;

3. That plaintiff shall immediately advise the opposing counsel and the Clerk of the Court of any change of address. Failure to notify the Clerk of the Court of any address change may result in the dismissal of this case.

This the 16<sup>th</sup> day of January 2008.



**Signed By:**

**J. Gregory Wehrman** *J. G. W.*  
**United States Magistrate Judge**