

District Court, Larimer County, State of Colorado Court Address: 201 La Porte Ave, Suite 100, Fort Collins, CO 80521	FILED IN COMBINED COUNTS LARIMER COUNTY, CO 18 JUN -1 PM 12:10 DATE FILED: June 1, 2018 CASE NUMBER: 2018CV125 ▲ COURT USE ONLY ▲
Rory Heath as an individual plaintiff and on behalf of other concerned residents and parties <i>Plaintiffs, Pro Se</i> v. City of Fort Collins City Council , a municipal governing body; and the City of Fort Collins <i>Defendants</i>	Case Number: 18CV125 Division: 5A Courtroom:
Plaintiff Rory Heath 2831 Rideglen Way Colorado Springs, CO 80918 Phone: 719-216-4319 Email: RoryHeath1@gmail.com	
<p style="text-align: center;">Plaintiffs' Motion for Access to E-filing</p>	

COMES NOW a Plaintiff, Rory Heath, whom respectfully asks that pursuant to CRCP Rule 121, Section 1-26, 3(b), that he be allowed access to the E-Filing system as a pro se party. The plaintiff acknowledges that this CRCP Rule cited above appears at face value to be a guiding path by which a pro se party may obtain access and not necessarily a statement of a right.

In support of granting e-file/ e-system access to the plaintiff, the plaintiff presents the following:

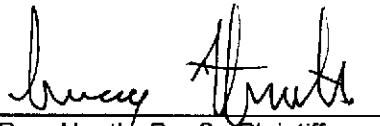
1. In regards to past rulings and orders, the plaintiff has noticed that he has not been notified via e-mail correspondence of said decisions. Instead, having to rely on either continually physically going to the records department or awaiting mail correspondence in the following days to the plaintiff's mailing address and not of his domicile address.
2. The present condition of the pro se plaintiff lacking access to the E-Filing/ E-System creates an unfair advantage of access, tipped in the defendant's favor, however slight. As it exists today, the Clerk of the Court's office closes promptly at 4:30 PM on business days, (usually weekdays), thus creating a last call deadline of 4:30 PM to submit a court pleading. Whereas those with access to the E-Filing system are given until midnight of that same day to file a motion/pleading to preserve a filing date. This creates a condition whereby the defendant is granted an extra 7 ½ hours to file a pleading due to their access to the E-Filing/ E-System; before accounting for transportation time needed to physically arrive at the Clerk of the Court's office.
3. The physical presence required of the plaintiff to file a pleading also creates its own boundaries and limitations. Whereas, to the best of the plaintiff's knowledge, the defense is able to submit a pleading from nearly anywhere in the world, provided that an internet connection exists by which they are able to connect and login to the system.

To solve this issue, and to balance this question of access, the plaintiff has no other recourse short of passing the State Bar Examination himself by which he could remedy the situation. A path of recourse, that in itself would take more time than the proceedings of this case would allow for.

As such, it is the plaintiff's sincere hope and belief that granting access to this e-filing system will remedy this situation. If this is an accommodation that the court can make, in this case, the plaintiff would be terrifically thankful as it would ease a great burden for him.

Lastly the Plaintiff, Rory Heath, would like to thank the court for it's time and consideration in the previous orders and multiple motions set forth before the court up until this point. While he understands that such is inherent to the position of an officer of the court, he is nonetheless thankful for the court's consideration, and the United States Court system as a whole.

With thanks,

A handwritten signature in black ink, appearing to read "Rory Heath". The signature is written in a cursive style with a horizontal line underneath it.


Rory Heath, *Pro Se Plaintiff*

Dated: June 1st, 2018

Certificate of Service

I, Rory Heath, certify under perjury, do attest that on 6/1/2018, I hand-delivered a copy of this filing, Plaintiffs' Opposition to Defendant's Motion to Dismiss, re: Case Number 18CV125 to:

City Attorney of Fort Collins
300 Laporte Ave
Fort Collins, CO 80521



Rory Heath, Pro Se Plaintiff