

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Gremmels v. Apple Inc.

No. 25-cv-03722-LJC (N.D. Cal. June 10, 2025) · No. 25-cv-03722-LJC · Decided June 10, 2025

SUMMARY

The court addresses Plaintiff Christian Gremmels’ response to an order to show cause and correspondence seeking a PACER fee waiver. The court extends the deadline to file an amended complaint to July 28, 2025, warns that failure to correct identified defects may result in a recommendation of dismissal, and denies the PACER fee exemption request without prejudice.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Lisa J. Cisneros
JURISDICTION	United States District Court for the Northern District of California
DECIDED	June 10, 2025
DOCKET	25-cv-03722-LJC
DISPOSITION	other
PROCEDURAL POSTURE	The court addressed the pro se plaintiff's response to an order to show cause and correspondence construed as a request for a PACER fee waiver.
PRECEDENTIAL VALUE	Nonprecedential district-court order

TOPICS

pleadings costs civil procedure

PRACTICE AREAS

Civil procedure Federal courts Pro se litigation

QUESTIONS PRESENTED

1. Whether the court should extend Plaintiff's deadline to file an amended complaint in light of his questions about the order to show cause and alleged delay in receiving it.
2. Whether Plaintiff established entitlement to a PACER fee exemption.

HOLDINGS

1. The court extended Plaintiff's deadline to file an amended complaint to July 28, 2025.
2. Plaintiff's request for a PACER fee exemption was denied without prejudice because he did not show that an exemption was necessary to avoid unreasonable burdens and promote public access to information.

KEY QUOTATIONS

“If Plaintiff does not file an amended Complaint, or if his amended Complaint does not correct the defects identified in the Court’s Order to Show Cause at ECF No. 6, the undersigned may recommend dismissal of this action.” (at 1)

“Although the Court granted Plaintiff’s application to proceed in forma pauperis, in forma pauperis status alone does not support a request to waive PACER fees.” (at 2)

FACTUAL BACKGROUND

Plaintiff, proceeding pro se and in forma pauperis, was ordered to file an amended complaint after the court identified pleading defects. He mailed his response directly to the magistrate judge rather than the Clerk's Office and asserted that delay in receiving the order affected his ability to comply. Plaintiff also requested an exemption from PACER fees, stating that he needed the exemption to electronically file documents.

PROCEDURAL HISTORY

The court previously ordered Plaintiff to file an amended complaint by June 4, 2025. Plaintiff instead mailed a response to the magistrate judge, which was redirected to the Clerk's Office and filed. The court extended the amendment deadline to July 28, 2025 and warned that failure to cure the deficiencies could result in a recommendation of dismissal. The court also denied Plaintiff's PACER fee-exemption request without prejudice.

DISPOSITION

other

CASES CITED

- *Pliler v. Ford*, 542 U.S. 225, 231 (2004)
- 2016 WL 97450, at *2 (N.D. Cal. Jan. 8, 2016)

OPINION

1 2 3 4 UNITED STATES DISTRICT COURT 5 NORTHERN DISTRICT OF CALIFORNIA 6 7
CHRISTIAN GREMMELS, Case No. 25-cv-03722-LJC 8 Plaintiff, ORDER REGARDING
RESPONSE TO 9 v. ORDER TO SHOW CAUSE 10 APPLE INC., et al., Re: Dkt. Nos. 7, 9
Defendants. 11 12 13 Before the Court is Plaintiff Christian Gremmels’ Response to the Order to
Show Cause 14 and Plaintiff’s correspondence regarding PACER fees.

ECF Nos. 7, 9. 15 I. RESPONSE TO ORDER TO SHOW CAUSE 16 At ECF No. 6, the Court issued an Order to Show Cause and ordered Plaintiff to file an 17 amended complaint no later than June 4, 2025. Rather than file an amended Complaint, Plaintiff 18 mailed a response to the Order to Show Cause to the undersigned magistrate judge, which she 19 received on June 6, 2025.

The Court advises Plaintiff that to file documents via mail, he must 20 send the documents to the Clerk's Office at United States District Court, 450 Golden Gate Ave., 21 16th Fl., San Francisco, CA 94102. He cannot mail documents directly to the undersigned for 22 filing.

As a courtesy to Plaintiff, and given Plaintiff's status as a pro se litigant, the Court 23 redirected Plaintiff's response to the Clerk's Office for filing. His response has since been filed on 24 the docket. See ECF No. 9. Going forward, any documents mailed to the undersigned rather than 25 the Clerk's Office run the risk of not being filed on the docket.

26 Plaintiff's response includes a number of questions to the undersigned magistrate judge 27 regarding her Order to Show Cause. See ECF No. 9 at 3-5. The Court cannot provide Plaintiff 1 2016 WL 97450, at *2 (N.D. Cal. Jan. 8, 2016) (citing *Pliler v. Ford*, 542 U.S. 225, 231 (2004)). 2 The Court encourages Plaintiff to seek free legal assistance from the Northern District's Legal 3 Help Center as he proceeds with this litigation.

The Legal Help Center can be reached by calling 4 (415) 782-8982 or by emailing fedpro@sfbare.org, and appointments can be held in-person or 5 remotely. Plaintiff may also wish to consult the resources for pro se litigants on the Court's 6 website, <https://cand.uscourts.gov/pro-se-litigants/>, including the manual, "Representing Yourself 7 in Federal Court: A Handbook for Pro Se Litigants." This manual for pro se litigants can be 8 downloaded from the Court's website at: <https://cand.uscourts.gov/pro-se-handbook/>.

9 Given Plaintiff's questions regarding the Order to Show Cause, as well as the alleged delay 10 in receiving the Court's Order, the Court extends Plaintiff's deadline to file an amended 11 Complaint to July 28, 2025.

The Court directs Plaintiff to the template and instructions regarding 12 writing and filing a civil complaint, available online at: [https://cand.uscourts.gov/wp- 13 content/uploads/forms/General-Complaint_Packet.pdf](https://cand.uscourts.gov/wp-content/uploads/forms/General-Complaint_Packet.pdf). If Plaintiff does not file an amended 14 Complaint, or if his amended Complaint does not correct the defects identified in the Court's 15 Order to Show Cause at ECF No. 6, the undersigned may recommend dismissal of this action.

16 II. PACER FEE EXEMPTION 17 The Court construes Plaintiff's correspondence regarding PACER fees as a request for a 18 waiver of PACER fees. ECF No. 7. PACER fee exemptions are available only upon a showing 19 that "an exemption is necessary in order to avoid unreasonable burdens and to promote public 20 access to information." Electronic Public Access Fee Schedule ¶ 9, United States Courts (Dec.

31, 21 2019) <https://www.uscourts.gov/court-programs/fees/electronic-public-access-fee-schedule>.
22 Plaintiff has not made such a showing and his application for a PACER fee exemption is
DENIED 23 without prejudice.

Although the Court granted Plaintiff's application to proceed in forma 24 pauperis, in forma
pauperis status alone does not support a request to waive PACER fees. 25 Plaintiff states that he
needs a PACER exemption to electronically file documents on the case 26 docket. ECF No. 7.

However, Plaintiff may file documents electronically without cost by 27 registering as a user on
the Court's Case Management/Electronic Case Files (CM/ECF) system. 1 Additionally, Chapter
Nine of Representing Yourself in Federal Court: A Handbook for Pro Se 2 || Litigants provides
instructions on how to e-file documents. 3 4 IT IS SO ORDERED. 5 Dated: June 10, 2025 6 7 L. J.
CI OS 8 ed States Magistrate Judge 9 10 11 a 12 13 15 16 («17 Z 18 19 20 21 22 23 24 25 26 27
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