

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MEGHAN KELLY, :
 :
 Plaintiff, :
 :
 v. : Civ. No. 21-1490-CFC
 :
 DISCIPLINARY COUNSEL PATRICIA :
 B. SWARTZ, et al., :
 :
 Defendants. :

MEMORANDUM ORDER

At Wilmington this Twenty-eighth day of December 2022, having considered Plaintiff's motions (D.I. 61, 62, 63, 65, 66, 69, 77, 80, 81, 82, 83, 85, 95, 96), IT IS HEREBY ORDERED that:

1. *Pro se* Plaintiff Meghan Kelly is a Delaware attorney. This case concerns her license to practice law in the State of Delaware. Plaintiff sought an order "to enjoin proceedings brought by the Defendants to place [her] attorney license on inactive disabled" status in violation of her First and Fourteenth Amendment rights. (D.I. 2 ¶ 14) On November 2, 2021, the Court denied Plaintiff's motion to expedite and letter/motion for emergency relief, dismissed as moot motions for a temporary restraining order and preliminary injunction and to e-file and appear remotely, abstained under the Younger abstention doctrine, and dismissed the Complaint. (D.I. 16, 17) Plaintiff filed notices of appeal on November 14, 2021 (USCA Case No. 21-3198) (D.I. 25), January 3, 2022 (D.I. 32), and May 9, 2022 (USCA No. 22-2079) (D.I. 67). The appeals were joined by the United States Court of Appeals for the Third Circuit with appeal No. 21-3198 as the lead case.

2. Plaintiff was granted *in forma pauperis* status in this case on October 28, 2021. (D.I. 15) The Court takes judicial notice that at one time, Plaintiff had PACER rights as an attorney. Plaintiff's PACER rights were suspended when her license was placed on inactive disabled status.

3. Plaintiff now seeks e-filing rights. (D.I. 83) That motion is **GRANTED**.

4. Plaintiff also requests a waiver of PACER fees associated with filing electronically in this Court (D.I. 62) and moves to amend that motion (D.I. 63). The motion to amend the request for waiver is **GRANTED**. (D.I. 63) The motion for a waiver of PACER fees is **GRANTED IN PART**. (D.I. 62) The United States Court of Appeals for the Third Circuit granted Plaintiff, as a non-attorney, a waiver of PACER fees. See Case No. 21-3198 at D.I. 30. In order for a waiver to be granted, a party must first have a PACER account. When a court grants a request to waive PACER fees, the Court must provide PACER with the account number to which the exemption applies and set a duration of time for the exemption. It may be that Plaintiff already has a PACER account. If she does not have a PACER account, she shall set one up. Either way, Plaintiff shall file a renewed motion for a PACER exemption in this Court, and in the motion she shall advise the Court of the PACER account number to which she wishes the exemption to apply along with a proposed duration of the exemption. Plaintiff shall file the renewed motion on or before **January, 20, 2023**.

5. Plaintiff's remaining motions are **DENIED** as they were filed subsequent to the first notice of appeal. (D.I. 61, 65, 66, 69, 77, 80, 81, 82, 85, 95, 96)

6. With the exception of a renewed motion for PACER exemption, Plaintiff is placed on notice that future filings in this Court during the pendency of Plaintiff's

appeals before the United States Court of Appeals for the Third Circuit will be docketed and not considered.



Chief Judge