IN THE UNITED STATES DISTRICT COURT
DISTRICT COURT OF COLORADO

Civil Action No. 1:23-cv-01951-CNS-MDB

JACQUELINE ARMENDARIZ and CHINOOK CENTER,

Plaintiffs,

v.

CITY OF COLORADO SPRINGS;
DANIEL SUMMEY, a detective with the Colorado Springs Police Department, in his individual capacity;
B.K. STECKLER, a detective with the Colorado Springs Police Department, in his individual capacity;
JASON S. OTERO, a sergeant with the Colorado Springs Police Department, in his individual capacity;
ROY A. DITZLER, a police officer with the Colorado Springs Police Department, in his individual capacity; and
FEDERAL BUREAU OF INVESTIGATION;

Defendants.

PLAINTIFFS' RESPONSE TO STECKLER AND OTERO'S MOTION TO DISMISS

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Plaintiffs Jacqueline Armendariz and Chinook Center submit this Response to Defendants B.K. Steckler and Jason S. Otero's Motion to Dismiss, ECF No. 51 ("Motion" or "MTD"), and state the following in opposition:

INTRODUCTION

The claims at issue in the Motion arise from an overbroad and unconstitutional seizure of posts, messages, and membership data related to a local advocacy group's First Amendment-protected speech and associational activity. After spying on the Chinook Center for about a year, the Colorado Springs Police Department ("CSPD") used a planned July 31, 2021 housing march as an opportunity to arrest Chinook Center leaders and other activists. (First Amended Complaint, Doc. 12 ("FAC"), ¶¶ 2-9, 23-43.) Following the march, CSPD Officers Steckler and Otero (the "Officers") obtained a search warrant—one of several that are the subject of this lawsuit—to search the Chinook Center's Facebook data and seize "all subscriber information," "all Facebook posts," "all Facebook Messenger chats" and "all Facebook Events" from a weeklong period, regardless of the subject matter. (Ex. 1 to MTD, Doc. 51-1 at 1 (the "Facebook Warrant"); FAC ¶¶ 45-46, 1711-183.) The warrant failed to articulate any reason to suspect the search would yield evidence of wrongdoing, let alone to justify its broad scope. Its sole asserted basis was that the Chinook Center posted information about the planned political march in advance, which is core speech protected by the First Amendment. (*Id.*)

The Officers now seek to avoid liability for the unlawful intrusion, asking this Court to dismiss all claims against them (Claims 2, 3, and 5 of FAC). The Officers' arguments are unavailing. First, their assertion of qualified immunity should be rejected because the Facebook Warrant violated the Fourth Amendment's clearly established particularity and probable cause requirements, which must be applied with "scrupulous exactitude" given the First Amendment-

protected speech at issue. *Stanford v. State of Tex.*, 379 U.S. 476, 485 (1965). Additionally, the Complaint adequately pleads fact-dependent claims for violations of the Stored Communications Act ("SCA") and the Colorado Constitution under Colorado's Enhance Law Enforcement Integrity Act, to which qualified immunity is no defense. *See* C.R.S. § 13-21-131(2)(b); *see also People v. Seymour*, 536 P.3d 1260, 1268 (Colo. 2023) (recognizing that state constitutional warrant protections must be applied with "scrupulous exactitude" when a search implicates freedom of expression). The Colorado Supreme Court recently recognized the "fact-dependent" nature of the inquiry when courts "examine what is reasonable under the search-and-seizure provisions of the federal and state constitutions." *Seymour*, 536 P.3d at 1268. For at least these reasons, the Court should deny the Officers' motion to dismiss in its entirety.

LEGAL STANDARD

In considering the motions to dismiss, the Court must accept all well-pled factual allegations as true and construe them in the light most favorable to the Plaintiffs. *Straub v. Burlington N. Santa Fe Ry.*, 909 F.3d 1280, 1287 (10th Cir. 2018). When a plaintiff offers sufficient factual allegations such that the right to relief is raised above the speculative level, he meets the pleading standard. *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 556 (2007). "In the context of qualified immunity, [the court] may not dismiss a complaint for failure to state a claim unless it appears beyond doubt that plaintiffs cannot prove a set of facts that would entitle them to relief." *Big Cats of Serenity Springs, Inc. v. Rhodes*, 843 F.3d 853, 858 (10th Cir. 2016).

ARGUMENT

I. The Officers are Not Entitled to Qualified Immunity on Claim 2.

A defendant who asserts qualified immunity is liable under § 1983 where "(1) the defendant's actions violated a constitutional or statutory right, and (2) the rights alleged to be

violated were clearly established at the time of the conduct at issue." *Anderson v. Blake*, 469 F.3d 910, 913 (10th Cir. 2006). Both are true here.

A. The Warrant Failed to Comply with the Fourth Amendment.

The Fourth Amendment requires that warrants be both supported by probable cause and that they "particularly describ[e] the place to be searched, and the persons or things to be seized." U. S. Const. amend. IV. These foundational requirements apply with extra rigor when the warrant implicates First-Amendment protected expressive activity, as it does here. The Facebook Warrant does not come close to satisfying these constitutional minimums.

1. The Facebook Warrant Was Insufficiently Particular.

The constitution requires particularity to ensure that an authorized search is "carefully tailored to its justifications" rather than taking on the character of the "wide-ranging exploratory searches the Framers intended to prohibit." *Maryland v. Garrison*, 480 U.S. 79, 84 (1987). To comply with the particularity requirement, a warrant must "ensure[] that a search is confined in scope to particularly described evidence relating to a specific crime for which there is demonstrated probable cause." *Voss*, 774 F.2d at 404.

Here, the Facebook Warrant authorizes the seizure of vast amounts of information associated with the Chinook Center's Facebook page. Yet neither the warrant nor the affidavit specifies the crime for which the evidence is sought. Steckler checked a box stating that there is probable cause to believe the data seized "would be material evidence in a subsequent criminal prosecution," but the warrant does not specify what the prosecution would be *for*. (Facebook Warrant at 1.) Likewise, the affidavit contains the bald assertion that "information gained from the two Facebook profiles will be material evidence in this case." (*Id.* at 3.) But it contains no explanation of what "this case" involves. The failure to specify a crime renders the warrant

insufficiently particular. *See Cassady v. Goering*, 567 F.3d 628, 635 (10th Cir. 2009) (warrant that fails to confine the scope of the search to any particular crime is invalid); *United States v. Ulbricht*, 858 F.3d 71, 99 (2d. Cir. 2017) (warrant must identify the specific offense for which the police have established probable cause in order to meet particularity requirement).

Defendants cite a footnote from *United States v. Allen* in which the District of Kansas rejected an argument that a warrant was insufficiently particular, stating "the warrant was still limited to search for evidence relating to a specific crime, and it did not authorize on its face a search for every record associated with the Facebook accounts." No. 16-10141-01-EFM, 2018 WL 1726349, at *6 n. 5 (D. Kan. Apr. 10, 2018). But here the seizure of all of Chinook's Facebook Messenger chats was not so limited. Additionally, the affidavit in *Allen* supported a "nexus between the crime under investigation and [three individual] Defendants' Facebook usage." *Id.* at *5. Here, there is no possible "nexus" because there is no identified crime.

To the extent the Officers suggest the affidavit sufficiently limited the search of the warrant's scope to what it falsely describes as an "illegal" march and an "illegal" demonstration, that argument is unavailing. First, the affidavit makes no effort to describe what makes an entire march or demonstration "illegal," nor could it. Plaintiffs were engaged in core First Amendment and Colorado constitution-protected speech, association, and petitioning activities. The fact that the affidavit tries to tarnish their First Amendment-protected activity as broadly "illegal" demonstrates not only that the officers did not comply with the "scrupulous exactitude" required, *see Stanford v. State of Tex.*, 379 U.S. 476, 485 (1965), but that they in fact targeted core speech and expressive activities. Second, to the extent the officers now claim they were focused on alleged jaywalking offenses, the FAC alleges that while some marchers walked in the street

where there were no sidewalks (and traffic was already blocked by police vehicles), the marchers complied with officer requests to get out of the street. (FAC, ¶39.)

Third, while the affidavit inaccurately describes the housing march as "illegal" and makes reference to "people involved in illegal demonstrations," it never specifies any particular wrongdoing as a limiting parameter for the search for evidence. Indeed, a search for evidence of anything that may be "illegal" is the antithesis of a search for evidence of a specific crime.

The Officers, however, now assert that the warrant sought evidence related to the specific offense of "Obstructing Passage or Assembly." (MTD at 4.) But here is the extent of the affidavit's discussion of that alleged offense:

> On 08/02/21, your affiant was contacted by Lieutenant M. Chacon, 2300, who asked if your affiant would research a tip regarding a Facebook post that was posted after arrest were made for Obstructing Passage or Assembly, and Resisting, Interference with a Public Official on South Tejon Street just south of East Fountain Boulevard on 07/31/21 at approximately 1137 hours.

(Motion Ex. 1 at Affidavit.) The Officers' reliance on this reference is puzzling. First, a warrant does not satisfy particularity just because a word-search of the document turns up mention of a crime somewhere. The point is that the warrant must specify that it authorizes the search and seizure only of evidence *related to* that crime. The statement that "arrest were made" for an offense does not suffice if neither the warrant nor the affidavit limits the scope of the search to evidence of that alleged offense. While the Officers now assert that the warrant was sought to investigate Chinook's Facebook data for the purported traffic offense, the warrant application never said so.

In fact, the very mention of "Obstructing Passage or Assembly" is followed immediately by the name of another crime—"Resisting, Interference with a Public Official," which not even the Officers suggest was the investigative subject of the warrant application. Indeed, nothing in

the affidavit connects the purported "Obstructing" offense to the requested search authority any more than it does the "Resisting" crime. The asserted relevance of each is identical (and non-existent). They are named only in reference to the timing of a Facebook post that Steckler had previously been tasked with investigating but that was expressly *not* the subject of the warrant at issue here, as Steckler had already obtained a separate warrant to investigate that post. (*Id.* at 4.) In other words, as to this warrant application, those named crimes are nothing but background.

Moreover, the Officers' post-hoc assertions of which "specific crime" the search was limited to are inconsistent with the affidavit. The affidavit's reference to an arrest for "Obstructing Passage or Assembly, and Resisting, Interference with a Public Official" can only be a reference to the arrest of Shaun Walls described in the affidavit's following paragraphs, because that is the *only* arrest described in the affidavit. But the Officers do not assert that the warrant was sought to investigate Walls; their Motion asserts that the warrant was requested to apprehend the other "approximately 60 participants in the illegal march who might have confessed their intention to obstruct or their commission of obstruction." (MTD at 7.) In any event, whatever the Officers' current position, what matters is that the affidavit failed to specify *any* particular wrongdoing as the subject of the search authority it requested. To adopt the Defendants' interpretation, this Court "would have to rewrite the warrant to include what it lacks: a reference to the targeted crime(s)." *United States v. Suggs*, 998 F.3d 1125, 1134 (10th Cir. 2021).

The absence of particularity in the Facebook Warrant is especially egregious because of the material it sought. Courts have long held that warrants authorizing a search for documents, as opposed to distinctive physical objects, require stricter compliance with the particularity requirement, "because of the potential they carry for a very serious intrusion into personal

privacy." *United States v. Leary*, 846 F.2d 592, 603 n.18 (10th Cir. 1988) (quoting 2 Wayne R. LaFave, *Search and Seizure* § 4.6(d), at 249–50 (2d ed. 1987)). For example, "[w]here a business is searched for records, specificity is required to ensure that only the records which evidence crime will be seized and other papers will remain private." *Id.* Moreover, "[t]he modern development of the personal computer and its ability to store and intermingle a huge array of one's personal papers in a single place increases law enforcement's ability to conduct a wide-ranging search into a person's private affairs, and accordingly makes the particularity requirement that much more important." *United States v. Otero*, 563 F.3d 1127, 1132 (10th Cir. 2009).

2. The Facebook Warrant Was Wholly Unsupported by Probable Cause.

Even if the warrant application could be construed to identify and be limited to a specific crime (which it cannot), the warrant still violated the Fourth Amendment because it was unsupported by probable cause. Where a search warrant "authorizes the search and seizure of evidence that is not supported by probable cause," it is "impermissibly overbroad." *United States v. Leary*, 846 F.2d at 605. Probable cause exists only where the affidavit indicates a "nexus . . . between suspected criminal activity and the place to be searched." *United States v. Mora*, 989 F.3d 794, 800 (10th Cir. 2021) (quoting *United States v. Biglow*, 562 F.3d 1272, 1278 (10th Cir. 2009)). Importantly, the objective facts in the affidavit must be sufficient to allow the reviewing judge to determine probable cause independently; it cannot rely on bare conclusions. *Illinois v. Gates*, 462 U.S. 213, 239 (1983).

The Facebook Warrant authorized a seizure of *all* of Chinook's Facebook Messenger chats, Facebook posts, event data, and subscriber information for a weeklong period. (Facebook Warrant at 5.) It is a heavy burden to establish probable cause for such a sweeping search, as "[t]he breadth of a warrant must be justified by the breadth of the probable cause." *Voss*, 774

F.2d at 408 (Logan, J., concurring); *see also In re Search of Info. That is Stored at the Premises Controlled by Google*, 542 F. Supp. 3d 1153, 1157 (D. Kan. 2021) (Where a warrant "is likely to return a large amount of data from individuals having nothing to do with the alleged criminal activity . . . the sheer amount of information lessens the likelihood that the data would reveal a criminal suspect's identity, thereby weakening the showing of probable cause.").

Here, the warrant sought all of Chinook's Facebook information from and between an unlimited number of people, without regard to what the information might contain and regardless of how many people would be swept up in the search and who had nothing to do with the march. The Officers contend that the warrant "could not limit the search to particular individuals' chats, because not all of the approximately 60 participants in the illegal march who might have confessed their intention to obstruct or their commission of obstruction had been identified." (MTD at 7.) In other words, because law enforcement failed to gather facts that would justify a particularized search, their argument now is that their dragnet search for core expressive speech and association materials need not be justified. The Fourth and First Amendments, however, reject this view; they require more.

Yet the affidavit fails to indicate any reason to believe that evidence of illegal activity would be found in any of Chinook's Facebook data, let alone in all of the corners of Facebook (posts, messages, events, subscriptions) the Officers sought to rummage through. The affidavit states the affiant's belief that "the information gained from . . . Facebook . . .will be material evidence in this case," but such a conclusory statement is the paradigmatic example of what does *not* pass constitutional muster. *Gates*, 462 U.S. at 239 ("[A] sworn statement of an affiant that 'he has cause to suspect and does believe that' [evidence] is located on certain premises will not

do."). Such a statement "gives the magistrate virtually no basis at all for making a judgment regarding probable cause." *Id.*

The sole "factual" basis offered to gain access to Chinook's Facebook data is the affidavit's assertion that "people involved in illegal demonstrations use social media to organize planned events." (Facebook Warrant at 4.) Besides the inaccurate reference to a supposedly "illegal" demonstration, this statement also does not pass muster on its own. In order for a judge to make a probable cause determination, they must be presented with facts specific to the circumstances at hand. *See Mora*, 989 F.3d at 801 (holding boilerplate statements about the use of electronic devices insufficient to establish probable cause because the statements were not "specific to Defendant's crime or circumstances"). The only information included in Steckler's affidavit related to the Chinook Center is a single, unclear sentence stating that another detective contacted Steckler "and stated a second profile was under the name of the Chinook Center was located in which the protest was organized under the events tab." (Facebook Warrant at 4.)[1] The affidavit also suggests that the housing march was organized by the Chinook Center, but it establishes no nexus between the Chinook Center's Facebook messages and any offense that would justify such a broad seizure.

A key missing ingredient from the affidavit is any factual basis to suspect that discussion of the housing march would include evidence of *wrongdoing*. The affidavit and the Officers' motion simply assumes that if an individual is arrested at a public protest for jaywalking, the entire group and their collective political activity can be tainted as "illegal." But that is not a permissible leap, particularly when police seek to seize First Amendment protected materials.

[1] This statement is ungrammatical and unclear, yet neither Steckler nor Otero clarified what it meant before presenting their warrant application to the judge.

The facts in the affidavit—that some protesters marched in the street and that the event was listed on Chinook's Facebook page—hardly support an inference that the discussions would include criminal plotting or debriefing about the alleged jaywalking offense.

The Officers now state: "Had participants posted to the Chinook Facebook Messenger chats about their intent to commit or their commission of such obstruction crimes, then such evidence would be probative of their guilt in their criminal prosecutions." (MTD at 5.) But the affidavit provides no reason to believe that evidence related to criminal prosecutions *would be found* in Chinook Center's messages.

In a brazen effort at false equivalence, the Officers cite and attach a criminal complaint against an individual who participated in the January 6 attack on the United States Capitol—an event that could not be more dissimilar to the alleged jaywalking offense discussed in Steckler's affidavit—to "demonstrate[] the evidentiary value of Facebook Messenger chats." (MTD at 5.) But this case does not turn on whether Facebook Messenger chats can have evidentiary value generally. To establish probable cause to seize Facebook Messenger chats tied to a particular profile, officers must indicate in their affidavit that evidence of a specified crime is likely to be found in the specific place to be searched. *See United States v. Gonzales*, 399 F.3d 1225, 1228 (10th Cir. 2005). Defendants failed to do so here.

The Officers' citation to *United States v. Burgess* is also unavailing. 576 F.3d 1078 (2009). There, the court considered a warrant authorizing a search of "computer records," "'certain property and evidence to show the transportation and delivery of controlled substances, which may include but [is] not limited to' controlled substances, paraphernalia, chemicals, and containers, " and "items of personal property which would tend to show conspiracy to sell drugs, including pay-owe sheets, address books, rolodexes, pagers, firearms and monies." *Id.* at 1091.

The court reasoned that "[i]f the warrant is read to allow a search of all computer records without description or limitation it would not meet the Fourth Amendment's particularity requirement." *Id.* But because the search "was limited to evidence of drugs and drug trafficking and, as it relates to the computer, was limited to the kind of drug and drug trafficking information likely to be found on a computer," there was "'sufficiently particularized language' creating 'a nexus' with the crime to be investigated—drug trafficking—and therefore was not overly broad." *Id.* at 1091. Here, on the other hand, each category of data to be seized is "without description," the search was not limited to evidence of any particular offense, and there was no language—let alone particularized language—creating a nexus with any crime to be investigated.

3. The Warrant's Targeting of Protected Speech and Association Make Its Constitutional Invalidity Even More Apparent.

The probable cause and particularity defects of the Facebook Warrant are "made even more egregious by the fact that the search at issue implicated free speech and associational rights." *Voss v. Bergsgaard*, 774 F.2d 402, 405 (10th Cir. 1985). The Supreme Court has recognized that the "most important places . . . for the exchange of views" are "the 'vast democratic forums of the Internet' in general . . . and social media in particular." *Packingham v. North Carolina*, 582 U.S. 98, 104 (2017) (cleaned up). "Social media users employ these websites to engage in a wide array of protected First Amendment activity on topics 'as diverse as human thought.'" *Id.* at 105 (quoting *Reno*, 521 U.S. at 852).

The Chinook Center and its members use Facebook—and Facebook Messenger chats in particular—for political organizing, debate, and advocacy. (FAC, ¶ 46.) By obtaining a warrant to seize all such messages for a week-long period, the Officers sought to chill the speech of the Chinook Center and its members. (*Id.*, ¶ 7.) While the Facebook Warrant could not survive any

level of Fourth Amendment scrutiny, its targeting of First Amendment activities make its constitutional infirmities all the more intolerable.

B. The Facebook Warrant Violated Chinook's and its Members' Clearly Established Rights.

The Tenth Circuit has held that it is "clearly established that warrants must contain probable cause that a *specified crime* has occurred and meet the particularity requirement of the Fourth Amendment in order to be constitutionally valid." *Mink v. Knox*, 613 F.3d 995, 1011 (10th Cir. 2010) (emphasis in original). *Mink* concerned a warrant to search a student's home as part of an investigation to determine whether a student had violated Colorado's libel law by publishing a satirical editorial column. *Id.* at 998–99. The court reasoned that the warrant was "clearly invalid under the particularity clause of the Fourth Amendment" because it authorized the search of various items—including computer equipment—without "t[ying] the listed items to any particular crime." *Id.* at 1011. The district attorney who reviewed and approved the warrant application was not entitled to qualified immunity for violating the student's rights. *Id.* at 1012.

Similarly, the Facebook warrant failed to tie the Facebook Messenger chats and other data to be seized to any particular crime. "Given that the particularity requirement is set forth in the text of the Constitution, no reasonable officer could believe that a warrant that plainly did not comply with that requirement was valid." *Groh*, 540 U.S. at 563; *Cassady*, 567 F.3d at 644. And any "reasonably well-trained officer" would know that Steckler's affidavit "failed to establish probable cause and that he should not have applied for the warrant." *Malley*, 475 U.S. at 345.

Moreover, any reasonable officer would have recognized that the Facebook Warrant authorized a broad seizure of First Amendment-protected materials, and therefore needed to conform to the Fourth Amendment with "scrupulous exactitude." *Stanford*, 379 U.S. at 485. Finally, while the Officers attempt to blame the magistrate for any defects in the warrant, (MTD

at 8), an officer who submits a plainly deficient warrant application "cannot excuse his own default by pointing to the greater incompetence of the magistrate." *Malley*, 475 U.S. at 346 n.9; *see also* Pls' Resp. to Federal Defs' and Ditzler's MTD at 23–24.

II. Plaintiffs' Claim 3 Properly Alleges a Violation of the Stored Communications Act.

Plaintiffs alleged that the "private Facebook Messenger chats of the Chinook Center, its members, and its associates were wire and electronic communications stored for less than 180 days through Facebook's system." (FAC, ¶ 187.) The Stored Communications Act provides the government cannot require the disclosure of the contents of such communications in electronic storage unless it obtains "a warrant issued using . . . State warrant procedures." 18 U.S.C. § 2703(a). Similarly, for wire or electronic communications in a remote computing service, the government can require disclosure only if it obtains a warrant pursuant to State warrant procedures or if it obtains a court order and provides prior notice to the subscriber or customer. *Id.* § 2703(b)(1).

As outlined above, the Officers failed to obtain a warrant *pursuant to State warrant procedures*, i.e., by obtaining a warrant that is both supported by probable cause and sufficiently particular.[2] Additionally, because the government did not provide prior notice to Chinook, it failed to satisfy the requirements of 18 U.S.C. 2703(b)(1)(B). Indeed, the warrant affirmatively forbids such prior notice. (Facebook Warrant at 5.)

In addition, for the reasons discussed in Sections I.A.1–2, Plaintiffs plausibly alleged that the affidavit fails to identify "specific and articulable facts showing that there are reasonable

[2] Contrary to the Officers' assertion (MTD at 12), Chinook has consistently contested the validity of the Facebook Warrant and alleged that it failed to comply with state court warrant procedures. *See, e.g.*, FAC ¶¶ 47–54, 188, 190.

grounds to believe that the contents of a wire or electronic communication, or the records or other information sought, are relevant and material to an ongoing criminal investigation," as required by 18 U.S.C. § 2703(d). Thus, the warrant fails to comply with the requirements of 18 U.S.C. § 2703(b)(1)(B)(ii), which references and incorporates the standard of § 2703(d).

Plaintiffs have set forth in more detail their basis for denying Defendants motion to dismiss the SCA claim in their opposition to the City's Motion to Dismiss and incorporate those arguments here.

III. Plaintiffs' Claim 5 Properly Alleges a Violation of the Colorado Constitution.

Plaintiffs' Claim 5 for violations of the Colorado Constitution's privacy, speech, and assembly protections should survive. The Officers state that Claim 5 fails "[f]or the same reasons that Chinook fails to state federal constitutional violation claims." (MTD at 12.) But the Officers' qualified immunity argument is inapplicable to Claim 5 because it was brought under Colorado's Enhance Law Enforcement Integrity Act, to which qualified immunity is no defense. C.R.S. § 13-21-131(2)(b).

Moreover, the Colorado Supreme Court has repeatedly recognized that "article II, section 7 provides greater privacy protections than the Fourth Amendment." *People v. McKnight*, 2019 CO 36, ¶ 30; *Seymour*, 536 P.3d at 1268 (noting "fact dependent" nature of the search and seizure inquiry and requiring "scrupulous exactitude" when search implicates free expression). Given that Plaintiffs plausibly state a claim under the federal constitution, they most certainly state a claim under the state constitution.

CONCLUSION

For the reasons above, Plaintiffs respectfully request that the Court deny Defendants' Motion to Dismiss.

Dated: December 18, 2023

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CERTIFICATE OF SERVICE

I hereby certify that on December 18, 2023, a copy of the foregoing was filed electronically with the Court. In accordance with Fed. R. Civ. P. 5, notice of this filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

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