

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

IN RE: APPLICATION FOR EXEMPTION
FROM THE ELECTRONIC PUBLIC
ACCESS FEES BY KATE LESCIOTTO

Administrative Order
No. 21-MS-076

This matter is before the Court upon the application and request by Dr. Kate Lesciotto for exemption from the fees imposed by the Electronic Public Access fee schedule adopted by the Judicial Conference of the United States Courts.

The Court finds that Dr. Kate Lesciotto, an Assistant Professor of Anatomy at the College of Osteopathic Medicine at Sam Houston State University, falls within the class of users listed in the fee schedule as being eligible for a fee exemption. Additionally, Lesciotto has demonstrated that an exemption is necessary in order to avoid unreasonable burdens and to promote public access to information.

Accordingly, Lesciotto shall be exempt from the payment of fees for access via PACER to the electronic case files maintained in this Court, to the extent such use is incurred in the course of researching how forensic anthropology expert witness evidence has been used within the US legal system. Lesciotto has narrowed the scope of her research to 52 federal cases (attached) by identifying court opinions in those cases that reference expert reports or testimony of forensic anthropologists. Lesciotto's goal from this research is to (1) analyze the methods being used by current forensic anthropologists and (2) analyze how the participants in legal actions (judges, juries, attorneys) evaluate forensic anthropology expert reports, with a focus on evidentiary objections.

Lesciotto shall not be exempt from the payment of fees incurred in connection with other uses of the PACER system in this Court. Additionally, the following limitations apply:

1. This fee exemption applies only to Lesciotto (PACER Account # 6914732), and is valid only for the purposes stated above;
2. This fee exemption applies only to the electronic case files of this Court that are available through the PACER system;
3. By accepting this exemption, Lesciotto agrees not to sell for profit any data obtained as a result of receiving this exemption;
4. Lesciotto is prohibited from transferring any data obtained as a result of receiving this exemption, including redistribution via internet-based databases;
5. This exemption is valid until December 31, 2022.

This Order may be revoked at the discretion of the Court at any time. A copy of this Order shall be sent to the PACER Service Center.

IT IS SO ORDERED.

FOR THE COURT:

Dated: November 22, 2021

/s/ Robert J. Jonker
ROBERT J. JONKER
CHIEF UNITED STATES DISTRICT JUDGE