**CAUSE NUMBER: xxx-xxxxxx-xx**

**OAG Number: xxxxxxxxxx (may not have one of these)**

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| IN THE MATTER OFTHE MARRIAGE OFXXXXXXANDXXXXXXAND IN THE INTEREST OFX.X.X.A MINOR CHILD | §§§§§§§§§§§ | **IN THE DISTRICT COURT**  **COURTJUDICIAL DISTRICT**  **[COUNTY NAME] COUNTY, TEXAS** |

# Notice of Special *Pro Se* Litigant Rights

Comes now [YOUR NAME], Pro Se, respectfully providing a relatively tiny sample of federal case law regarding certain special respect to and for *Pro Se* litigants and their protected rights:

*Pro se* pleadings are always to be construed liberally and expansively, affording them all opportunity in obtaining substance of justice, over technicality of form. *Maty v. Grasselli Chemical Co.*, 303 U.S. 197 (1938); *Picking v. Pennsylvania Railroad Co.*, 151 F.2d 240 (3rd Cir. 1945); *Jenkins v. McKeithen*, 395 U.S. 411, 421 (1959); *Haines v. Kerner*, 404 U.S. 519, 520-21, 92 S.Ct. 594, 596, 30 L.Ed.2d 652 (1972); *Cruz v. Beto*, 405 U.S. 319, 322, 92 S.Ct. 1079, 1081, 31 L.Ed.2d 263 (1972); *Puckett v. Cox*, 456 F. 2d 233 (6th Cir. 1972); and, etc., etc., etc., practically *ad infinitum*.

If the court can reasonably read the submissions, it should do so despite failure to cite proper legal authority, confusion of legal theories, poor syntax or sentence construction, or a litigant’s unfamiliarity with particular rule requirements. *Boag v. MacDougall*, 454 U.S. 364, 102 S.Ct. 700, 70 L.Ed.2d 551 (1982); *Estelle v. Gamble*, 429 U.S. 97, 106, 97 S.Ct. 285, 50 L.Ed.2d 251 (1976) (quoting *Conley v. Gibson*, 355 U.S. 41, 45-46, 78 S.Ct. 99, 2 L.Ed.2d 80 (1957)); *Haines v. Kerner*, 404 U.S. 519, 92 S.Ct. 594, 30 L.Ed.2d 652 (1972); *McDowell v. Delaware State Police*, 88 F.3d 188, 189 (3rd Cir. 1996); *United States v. Day*, 969 F.2d 39, 42 (3rd Cir. 1992); *Then v. I.N.S.*, 58 F.Supp.2d 422, 429 (D.N.J. 1999); and, etc., along with numerous similar rulings.

When interpreting *pro se* papers, this Court is required to use its own common sense to determine what relief that party either desires, or is otherwise entitled to. *S.E.C. v. Elliott*, 953 F.2d 1560, 1582 (11th Cir. 1992). *See* also, *United States v. Miller*, 197 F.3d 644, 648 (3rd Cir. 1999) (court has a special obligation to construe *pro se* litigants’ pleadings liberally); *Poling v. K. Hovnanian Enterprises*, 99 F.Supp.2d 502, 506-07 (D.N.J. 2000); and, etc.

Indeed, the courts will even go to particular pains to **protect** *pro se* litigants against consequences of technical errors if injustice would otherwise result. *U.S. v. Sanchez*, 88 F.3d 1243 (D.C.Cir. 1996). Moreover, “*the court is under a duty to examine the complaint to determine if the allegations provide for relief on \*****any****\* possible theory*.” (emphasis added) *See*, e.g., *Bonner v. Circuit Court of St. Louis*, 526 F.2d 1331, 1334 (8th Cir. 1975) (quoting *Bramlet v. Wilson*, 495 F.2d 714, 716 (8th Cir. 1974)), and etc.

Respectfully submitted,

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ADDRESS

CONTACT INFO