

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
(Big Stone Gap Division)**

MELINDA SCOTT,

Plaintiff,

v.

WISE COUNTY DEPARTMENT OF
SOCIAL SERVICES, *et al.*,

Defendants.

Case No. 2:20-cv-00014-JPJ-PMS

MOTION TO SUPPLEMENT THE RECORD

NOW COMES Defendant Joshua Moon, by counsel, and submits this Motion to Supplement the Record. In support of this Motion, Defendant Moon states as follows:

- 1) Ordinarily, all matters brought before the Court are filed in the ECF system either by counsel or by the clerk's office, and such documents are made available to the public and for purposes of appeal.
- 2) This Court allows proposed orders to be submitted via email in word-processing format rather than filed in the ECF system in PDF format. See Exhibit A and B.
- 3) Undersigned counsel submitted a proposed order on the fully-briefed¹ Motion to Require an Appeal Bond. ECF No. 65. The submission was accomplished via email dated September 16, 2021. Exhibit C and D.

¹ The Plaintiff apparently asserts that she retains the right to submit a sur-reply. See Exhibit E. Local Civil Rule 11(c)(1), however, prohibits the filing of sur-reply briefs without leave of Court.

- 4) The *pro se* Plaintiff has now replied to that email with various legal arguments and threats, copying all counsel and the Magistrate Judge. See Exhibit E and F. Such submissions, which are directed at the Court and in which the Plaintiff makes legal arguments, ought to be made a part of the Court's official record and be made available to the public and the parties in the same manner that the rest of the record is.
- 5) Defendant Moon anticipates relying in part upon Plaintiff's correspondence to the Magistrate Judge in his upcoming Rule 54 (d) motion and on appeal. As such, it is even more important that the Plaintiff's emailed correspondence to the Court be made a part of the record.

WHEREFORE Defendant Moon moves to supplement this Court's record and requests that the correspondence from the *pro se* Plaintiff to the Magistrate Judge be made a part of the record in this matter.

Respectfully submitted this the 16th day of September, 2021,

JOSHUA MOON

By Counsel:

/s/Matthew D. Hardin

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Certificate of Service

I hereby certify that I will file a true and correct copy of the foregoing document with the Court's CM/ECF system, which will electronically serve counsel of record. I will also deposit a true and correct copy of the foregoing document into the U.S. Mail, with First Class postage prepaid, directed to:

Melinda Scott
2014PMB87
Post Office Box 1133
Richmond, VA 23218

Dated: September 16, 2021

/s/Matthew D. Hardin
Matthew D. Hardin
Counsel for Joshua Moon