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NOTICE OF SPECIAL PRO SE LITIGANT RIGHTS

COMES NOW [Your Full Legal Name], appearing pro se (self-represented), and respectfully provides this Notice to inform the Court of certain well-established principles regarding the rights and treatment of pro se litigants under federal and Texas law.

PRO SE PLEADINGS ARE TO BE CONSTRUED LIBERALLY

Courts are required to construe pleadings filed by pro se litigants liberally and with a view toward substance rather than strict form. This principle ensures that technical defects do not prevent a pro se party from having their claims heard on the merits when justice so requires.

Key authorities include:

- Haines v. Kerner, 404 U.S. 519, 520-21 (1972) (pro se complaints are held to “less stringent standards than formal pleadings drafted by lawyers”).
- Erickson v. Pardus, 551 U.S. 89, 94 (2007) (reaffirming that pro se pleadings must be liberally construed).
- Boag v. MacDougall, 454 U.S. 364 (1982); Estelle v. Gamble, 429 U.S. 97, 106 (1976).

If the Court can reasonably read the submissions, it should do so despite any failure to cite proper legal authority, confusion of legal theories, poor syntax, or unfamiliarity with specific rule requirements. See Haines v. Kerner, 404 U.S. at 520; 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).

When interpreting pro se papers, the Court may use its common sense to determine what relief the party desires or is otherwise entitled to receive. See S.E.C. v. Elliott, 953 F.2d 1560, 1582 (11th Cir. 1992); United States v. Miller, 197 F.3d 644, 648 (3rd Cir. 1999) (courts have a special obligation to construe pro se litigants’ pleadings liberally).

Courts will take particular care to protect pro se litigants from the consequences of technical errors where injustice would otherwise result. See 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.” Bonner v. Circuit Court of St. Louis, 526 F.2d 1331, 1334 (8th Cir. 1975).

Relief Requested

The undersigned respectfully requests that the Court apply the foregoing principles when reviewing all filings submitted by this pro se litigant and afford every reasonable opportunity to present the substance of the claims and defenses on the merits.

Respectfully submitted,

[Your Full Legal Name]
Pro Se Litigant

Address:
[Your Street Address]
[City, Texas ZIP Code]

Phone: [Your Phone Number]
Email: [Your Email Address (optional)]

Date: _____

1-Page Instructions: How to Complete and File This Notice (For First-Time Pro Se Users)

Step 1: Preparation

- Fill in all bracketed fields with your accurate information (cause number, names, county, etc.).
- Update the date at the bottom.
- Print or save a clean copy.

Step 2: Filing

- File this Notice with the District Clerk in the county where your case is pending (usually along with other pleadings or as a standalone filing).
- Serve a copy on the opposing party (or their attorney) according to Texas Rule of Civil Procedure 21a (email, certified mail, or hand delivery with certificate of service).
- Keep proof of service and add everything to your master file.

Step 3: Tips for Use

- Attach this Notice to important filings (motions, responses, affidavits) to remind the Court of the liberal construction standard.
- Use it early in the case or whenever you believe technical issues may arise.
- Maintain a professional tone in all court documents.
- Document any response (or lack of response) from the Court.

Disclaimer and common sense: Nothing contained herein is legal advice, and is freely available information retrieved from the internet and other resources.