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MDR

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

Roy Stephen Joseph,

Plaintiff,

vs.

Director of the Circle K Corporation, et  
al.,

Defendants.

) No. CV 97-2214-PHX-RCB (BPV)

) **ORDER**

**I. Background**

In a December 13, 2000 Order, United States Magistrate Judge Morton Sitver explained to Plaintiff that

judgment was entered dismissing plaintiff’s third amended complaint and dismissing this action on May 26, 1998 [Doc. #20]. Plaintiff’s Motion for Reconsideration was denied on June 18, 1998 [Doc. #22] and a certified copy of the mandate of the United States Court of Appeal affirming the district court’s decision in this case was filed March 22, 1999 with the Clerk of the District Court. [Doc. #26]. This action has been terminated.

On April 7, 2008, more than seven years after Magistrate Judge Sitver’s Order and more than nine years after the Ninth Circuit’s Mandate was filed in this Court, Plaintiff filed a “Supplemental to the Third Amended Civil Rights Complaint” and a document entitled “The Legal Authority for Supplemental to the Third Amended Civil Rights Complaint.”

In an April 28, 2008 Order, the Court stated that this case is **closed** and that the Court would not consider Plaintiff’s untimely documents.

1 **II. Motions**

2 On October 30, 2008, Plaintiff filed a “Motion for Documents; and Motion for  
3 Injunctive Relief; and Motion for Judicial Notice” (Doc. #34). Because this case is **closed**,  
4 the Court will deny the Motions.<sup>1</sup>

5 Plaintiff should take note that an inmate has no right to free copies of pleadings. See  
6 In re Richard, 914 F.2d 1526, 1527 (6th Cir. 1990) (Section 1915, 28 U.S.C., “does not give  
7 the litigant a right to have documents copied and returned to him at government expense”).  
8 The Clerk of Court charges \$0.50 per page for reproducing any record or paper. See Judicial  
9 Conference Schedule of Fees ¶ 4, foll. 28 U.S.C. § 1914. In addition, because this case has  
10 been closed for so long, only those documents filed in 2008 remain at the Court. Documents  
11 filed prior to 2008 have been removed from the Court and have been archived at a Federal  
12 Records Center. There is a \$45.00 charge for “retrieval of a record from Federal Records  
13 Center.” See Judicial Conference Schedule of Fees ¶ 7. Thus, the Clerk of Court will  
14 provide Plaintiff with copies of documents filed in this case *only* upon receipt of a written  
15 request that is accompanied by payment of (1) the copying fee of \$0.50 per page and (2) the  
16 retrieval fee of \$45.00 per record for each record that must be retrieved from the Federal  
17 Records Center.

18 Accordingly,

19 **IT IS ORDERED** that Plaintiff’s “Motion for Documents; and Motion for Injunctive

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27 <sup>1</sup>Plaintiff also filed a document captioned “Response and Certification of Response  
28 Filed” (Doc. #33), which requires no action by *this* Court because it is addressed to the City  
of Phoenix Municipal Court.

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Relief; and Motion for Judicial Notice” (Doc. #34) is **denied**. This case must remain **closed**.

DATED this 5th day of November, 2008.

  
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Robert C. Broomfield  
Senior United States District Judge