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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

David Mitchell,

Petitioner,

vs.

Charles Ryan, et al.,

Respondents.

No. CV-08-1463-PHX-PGR

ORDER

The petitioner’s habeas petition, filed pursuant to 28 U.S.C. § 2254, was denied and dismissed with prejudice pursuant to the Court’s Order (Doc. 45) and Judgment (Doc. 46), both of which were entered on August 30, 2010; no appeal was filed. Pending before the Court is the petitioner’s Request for Production of Documents and for Service Upon Respondents (Doc. 47), which was signed on August 30, 2010 and filed on September 1, 2010.

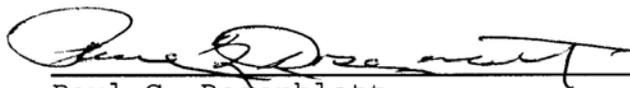
In his Request for Production of Documents, the petitioner requests that the Court provide him with a copy of two of his own filed documents: his Motion for Leave to File Delayed Objections to Magistrate’s Report and Recommendation (Doc. 40) and his Objections to Magistrate’s Report and Recommendations (Doc. 44). The Court will deny this motion because the petitioner has no constitutional right to have the Court provide him with free

1 photocopies, *cf. Sands v. Lewis*, 886 F.2d 1166, 1169 (9th Cir.1990) (Court noted
2 that “numerous courts have rejected any constitutional right to free and unlimited
3 photocopying” by prisoners), his *in forma pauperis* status does not entitle him to
4 free copies of documents in the Court’s file, see *e.g., In re Richard*, 914 F.2d
5 1526, 1527 (6th Cir.1990) (Court concluded that 28 U.S.C. § 1915, the *in forma*
6 *pauperis* statute, “does not give the [prisoner] litigant a right to have documents
7 copies and returned to him at government expense”), and he has not sufficiently
8 demonstrated any need for the copies given the current procedural posture of the
9 case. If the petitioner wishes to have copies of these documents provided to him
10 at his expense, he may contact the Clerk of the Court to determine what the
11 photocopying-related costs would be under the District Court Miscellaneous Fee
12 Schedule.

13 In his Request for Service Upon Respondents, the petitioner requests that
14 the Court provide the respondents with copies of his Motion for Leave to File
15 Delayed Objections to Magistrate’s Report and Recommendation (Doc. 40) and
16 his Objections to Magistrate’s Report and Recommendations (Doc. 44). The
17 Court will deny this motion as moot because the record establishes that the Clerk
18 of the Court electronically mailed copies of both documents to the respondents on
19 August 17, 2010. Therefore,

20 IT IS ORDERED that the petitioner’s Request for Production of Documents
21 and for Service Upon Respondents (Doc. 47) is denied.

22 DATED this 6th day of October, 2010.

23
24 
25 Paul G. Rosenblatt
26 United States District Judge