



1 (E.D. Cal. 2012), nor does Rule 706 contemplate court appointment and compensation of an expert as  
2 an advocate for Plaintiff, Faletogo v. Moya, 2013 WL 524037, \*2 (S.D. Cal. 2013).

3 On March 25, 2014, the Court granted Plaintiff's motion for the attendance of unincarcerated  
4 witnesses: Marshal S. Lewis, Ismail Patel, Sharon Zamora, Catherin Moody, Steven Fama, Tobias  
5 Smith, Emma Rosenbush, and Zow Schonfeld. In that order, the Court advised Plaintiff of the  
6 applicable witness and mileage fees as to each potential witnesses, the deadline expired on April 2,  
7 2014. However, to date Plaintiff has failed to submit a money order.

8 As Plaintiff was previously advised in the Court's trial scheduling order, issued January 27,  
9 2014, it is his responsibility to produce all of the evidence to prove his case, whether that evidence is  
10 in the form of exhibits or witness testimony. The expenditure of public funds on behalf of an indigent  
11 litigant is proper only when authorized by Congress, see Tedder v. Odel, 890 F.2d 210 (9th Cir. 1989),  
12 and the in forma pauperis statute does not authorize the expenditure of public funds for the purpose  
13 sought by Plaintiff in the instant request. Plaintiff's present motion is nothing more than an attempt to  
14 avoid the in forma pauperis status and prohibition against using public funds to pay expenses of expert  
15 witnesses as an advocate for Plaintiff. Accordingly, Plaintiff's motion requesting the Court to obtain  
16 the attendance of all his unincarcerated expert witnesses must be DENIED.

17  
18 IT IS SO ORDERED.

19 Dated: April 11, 2014

  
20 UNITED STATES MAGISTRATE JUDGE