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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 BILLY RAY MALDONADO,

12 Plaintiff,

13 vs.

14 JAMES YATES, et al.,

15 Defendants.
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1:12-cv-00496-AWI-GSA (PC)

ORDER DENYING REQUEST FOR
RETURN OF ORIGINAL DOCUMENT
(Doc. 8.)

17 **I. BACKGROUND**

18 On April 2, 2012, Donald Wright (“Plaintiff”), a state prisoner proceeding pro per and
19 in forma pauperis, filed the Complaint commencing this civil rights action pursuant to 42
20 U.S.C. § 1983. (Doc. 1.)

21 On February 9, 2015, Plaintiff filed a request for the court to return the original
22 Complaint to him. (Doc. 8.)

23 **II. CUSTODY OF DOCUMENTS; REQUEST FOR COPIES**

24 Plaintiff explains that he thought he was supposed to submit his medical documents
25 with the Complaint, but later discovered this was not true. Now Plaintiff requests the Clerk to
26 return his original Complaint to him.

27 The Eastern District of California is an electronic case management/filing district
28 (CM/ECF). L.R. 133. After a pro se party files a paper document, the Clerk transforms the

1 paper filing into an electronic record and ultimately discards the paper filing. Id. Local Rules
2 require that all paper files and records of the court remain in the custody of the Clerk. L.R.
3 138. No one is permitted to take records, papers, or items belonging to the files of the court
4 from the custody of the Clerk without a special order of the court and a receipt given by the
5 party obtaining it, describing it and the date of its receipt. Id.

6 Plaintiff was cautioned in the court's First Informational Order not to send original
7 exhibits to the court, and advised that he should retain his original exhibits and send
8 photocopies to the court. (Doc. 3 at 4 ¶7.) Plaintiff was also advised about the procedure for
9 obtaining copies of court documents. (Id. at 2 ¶3.)

10 Even if the Clerk has not already discarded the paper filing, Plaintiff has not shown
11 good cause for the court to issue a special order requiring the Clerk to relinquish custody of
12 Plaintiff's original Complaint. Copies of the electronic record are available to Plaintiff;
13 however, the Clerk does not ordinarily provide free copies of case documents to parties. The
14 Clerk charges \$.50 per page for copies of documents. See 28 U.S.C. § 1914(a). Copies of up
15 to 20 pages may be made by the Clerk's Office at this court upon written request and
16 prepayment of the copy fees. Plaintiff must submit a request in writing to the Clerk, a
17 sufficiently-large, self-addressed envelope affixed with sufficient postage, and prepayment of
18 copy costs to the Clerk. The fact that the court has granted leave for Plaintiff to proceed in
19 forma pauperis does not entitle him to free copies of documents from the court.¹

20 For copy orders larger than 20 pages, copies of documents may be obtained from the
21 court file by contacting Attorney's Diversified Services at 741 N. Fulton Street, Fresno,
22 California 93728, 1-800-842-2695. Plaintiff's Complaint, with its exhibits, is 145 pages long.

23 Based on the foregoing, Plaintiff's request shall be denied. Plaintiff is advised that in
24 the future, he should retain his original exhibits and submit photocopies, and also should retain
25 a copy of any document he submits to the court.

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28 ¹ In the future, if Plaintiff wants a file-stamped copy of a document returned for his own benefit,
he must submit the document for filing, a copy of the document, and a sufficiently large pre-addressed envelope
with sufficient postage affixed.

1 **III. CONCLUSION**

2 Accordingly, IT IS HEREBY ORDERED that Plaintiff's request for return of his
3 original Complaint is DENIED.

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5 IT IS SO ORDERED.

6 Dated: February 12, 2015

/s/ Gary S. Austin
7 UNITED STATES MAGISTRATE JUDGE