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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ANTHONY TYRONE CAMPBELL, SR.)	Case No.:1:14-cv-00801-DAD-SAB (PC)
)	
Plaintiff,)	
)	
v.)	ORDER DENYING PLAINTIFF’S MOTION TO
)	COMPEL THIRD-PARTY WITNESS TO ATTEND
JEFFREY BEARD, et al.,)	DEPOSITION BY TELEPHONE
)	
Defendants.)	[ECF No. 53]
)	
)	

Plaintiff Anthony Tyrone Campbell Sr. is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

Currently before the Court is Plaintiff’s motion to compel third-party witness, Dr. David Rohrdanz, to attend a deposition by telephone. Plaintiff’s motion must be denied.

Plaintiff has failed to provide sufficient justification for the requested deposition of Dr. David Rohrdanz, and his motion for leave to conduct such depositions must be denied. In addition, Plaintiff has not stated how he will pay for the deposition costs and non-party witness fees pursuant to Rule 45 of the Federal Rules of Civil Procedure, and there is no stipulation by Defendants to produce the witness identified by Plaintiff. Furthermore, Plaintiff is required to pay for the recording of the depositions pursuant to Rule 30, and Plaintiff provides no indication that he can pay such expenses.

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1 Although Plaintiff is proceeding in forma pauperis, such status does not entitle him to waiver of
2 witness fees, mileage or deposition officer fees. For these reasons, Plaintiff's motion must be denied
3 without prejudice.

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5 IT IS SO ORDERED.

6 Dated: March 22, 2016


UNITED STATES MAGISTRATE JUDGE