

1 (E.D. Cal. Mar. 20 2013) (denying plaintiff's request that the court order defendants to provide him
2 with a copy of his deposition transcript). There also is no statutory requirement for the Court or the
3 government to provide a litigant proceeding in forma pauperis with copies of deposition transcripts.
4 See 28 U.S.C. § 1915; see also *Tedder v. Odel*, 890 F.2d 210, 211 (9th Cir. 1989) ("the expenditure of
5 public funds [on behalf of an indigent litigant] is proper only when authorized by Congress") (citation
6 omitted); *Tabron v. Grace*, 6 F.3d 147, 158-59 (3d Cir. 1993) (finding no abuse of discretion because
7 there was no authorization for the court to commit federal monies to provide indigent litigants with
8 copies of deposition transcripts). Accordingly, the Court will not order defense counsel or the
9 defendant to provide Plaintiff with a copy of his deposition transcript and the Court will not provide
10 Plaintiff with a copy of his deposition transcript.

11 However, Plaintiff may obtain a copy of his deposition transcript from the court
12 reporter/deposition officer provided he pays the required fee. See Fed. R. Civ. P. 30(f)(3) ("when paid
13 reasonable charges, the officer must furnish a copy of the transcript or recording to any party or the
14 deponent."). If Plaintiff requires contact information for the court reporter, he is directed to seek such
15 information from defense counsel.

16 For the above reasons, **IT IS HEREBY ORDERED** that:

- 17 1. Plaintiff's request for a copy of the deposition transcript, without charge, is **DENIED**;
- 18 2. Plaintiff's request for "mandatory judicial notice" of the deposition transcript lodged by
19 Defendant is **DENIED** as **MOOT**;
- 20 3. Within **thirty (30) days** from the date of service of this order, Plaintiff **SHALL** file a
21 response to Defendant's Motion for Summary Judgment;

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4. Defendant shall file a reply, if any, within **seven (7) days** from the date of service of Plaintiff's opposition. No further extensions of time will be given.

The failure to comply with this order will result in dismissal of this action, with prejudice, for failure to obey court orders and failure to prosecute.

IT IS SO ORDERED.

Dated: September 27, 2017

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE