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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

GORDON D. MEADOR,

Plaintiff,

v.

SMITH & WESSEN, et al.,

Defendants.

Case No. 1:14-cv-02013-SKO (PC)

ORDER DENYING MOTION FOR
APPOINTMENT OF INVESTIGATOR

(Doc. 14)

Plaintiff Gordon D. Meador, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on December 18, 2014. On May 4, 2015, Plaintiff filed a motion seeking the appointment of an investigator for the limited purpose of assisting him in identifying the Doe defendants.

“[T]he expenditure of public funds [on behalf of an indigent litigant] is proper only when authorized by Congress. . . .” *Tedder v. Odel*, 890 F.2d 210, 211-12 (9th Cir. 1989) (quoting *United States v. MacCollum*, 426 U.S. 317, 321, 96 S.Ct. 2086 (1976)). There is no provision for the appointment of an investigator to assist Plaintiff with his case. To the extent Plaintiff’s motion should be construed in the alternative as seeking counsel, this action does not present “exceptional circumstances” justifying the appointment of voluntary counsel. 28 U.S.C. § 1915(e)(1); *Palmer v. Valdez*, 560 F.3d 965, 970 (9th Cir. 2009); *Wilborn v. Escalderon*, 789 F.2d 1328, 1331 (9th Cir. 1986).

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Accordingly, Plaintiff's motion for the appointment of an investigator is HEREBY DENIED.

IT IS SO ORDERED.

Dated: May 6, 2015

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE