

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SCOTT K. RICKS,

Plaintiff,

vs.

G. LEVINE, *et al.*,

Defendants.

Case No. 1:15-cv-01150-RRB

ORDER RE: MOTION
AT DOCKET 19

At **Docket 19** Plaintiff Scott K. Ricks, a State prisoner appearing *pro se* and *in forma pauperis*, filed a motion seeking: (1) copies of the pleadings and documents filed with this Court; and (2) a 90-day extension within which to file an amended complaint.

It appears from the Motion that since his transfer to Atascadero State Hospital on or about October 23, 2015, Plaintiff has been denied access to his legal papers. As a result Plaintiff is unable to prepare and file an amended complaint. Unfortunately, Plaintiff has no constitutional right to have the court provide him free copies of documents in the court's file.¹ The expenditure of public funds on behalf of an indigent is proper only when

¹ *Cf. Sands v. Lewis*, 886 F.2d 1166, 1169 (9th Cir.1990) (Court noted that "numerous courts have rejected any constitutional right to free and unlimited photocopying" by prisoners),

authorized by Congress.² Consequently, *in forma pauperis* status does not entitle Plaintiff to free copies in the court file.³

If Plaintiff wishes to have copies of these documents provided to him at his expense, he may contact the Clerk of the Court to determine what the photocopying-related costs would be under the District Court Miscellaneous Fee Schedule.

Accordingly, for good cause shown Plaintiff is granted through and including **Friday, June 3, 2016**, within which to file his Amended Complaint consistent with the Court's prior Dismissal Order.⁴ In all other respects, the Motion at **Docket 19** is **DENIED**.

The Clerk of the Court is directed to provide Plaintiff with a copy of the docket.

IT IS SO ORDERED this 9th day of February, 2016.

S/ RALPH R. BEISTLINE
UNITED STATES DISTRICT JUDGE

² *Tedder v. Odel*, 890 F.2d 210, 211–12 (9th Cir. 1989).

³ See 28 U.S.C. § 1915; see e.g., *In re Richard*, 914 F.2d 1526, 1527 (6th Cir.1990) (Court concluded that 28 U.S.C. § 1915, the *in forma pauperis* statute, “does not give the [prisoner] litigant a right to have documents copies and returned to him at government expense”).

⁴ Docket 13.