

1 Plaintiff has not identified any pending motion for which expert assistance is needed, nor does
2 the Court find any expert assistance is needed to evaluate any currently pending motion. Thus,
3 Plaintiff's motion for the appointment of an expert witness is, at the very least, premature. See
4 Vanderbusch v. Chokatos, No. 1:13-cv-01422-LJO-EPG, 2017 WL 4574121, at *1 (E.D. Cal. Oct. 13,
5 2017) (plaintiff's request for an expert witness denied because a trial date had not yet been scheduled);
6 Flournoy v. Maness, No. 2:11-cv-02844-KJM-EFB, 2016 WL 6493970, at *1 n.1 (E.D. Cal. Nov. 2,
7 2016) (declining to appoint a medical expert when no summary judgment motions pending).

8 Further, to the extent Plaintiff seeks an expert witness as an advocate for his case, such as to
9 give proof of his damages, his request cannot be granted. The statute authorizing a plaintiff's in forma
10 pauperis status does not authorize the expenditure of public funds for expert witnesses. See 28 U.S.C.
11 § 1915; Tedder v. Odel, 890 F.2d 210, 211-12 (9th Cir. 1989) (per curiam) (expenditure of public
12 funds on behalf of indigent litigant is proper only when authorized by Congress); Boring v.
13 Kozakiewicz, 833 F.2d 468, 474 (3d Cir. 1987) (no provision to pay fees for expert witnesses); Brooks
14 v. Tate, No. 1:11-cv-01503-AWI-DLB, 2013 WL 4049043, *1 (E.D. Cal. Aug. 7, 2013) (denying
15 appointment of medical expert on behalf of state prisoner in section 1983 action); Gorrell v. Sneath,
16 No. 1:12-cv-0554-JLT, 2013 WL 3357646, * 1 (E.D. Cal. Jul. 3, 2013) (purpose of court-appointed
17 expert is to assist the trier of fact, not to serve as an advocate for a particular party).

18 For these reasons, Plaintiff's motions regarding an expert medical witness and examination
19 (ECF Nos. 33, 34) are HEREBY DENIED.

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21 IT IS SO ORDERED.

22 Dated: August 6, 2018



UNITED STATES MAGISTRATE JUDGE