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8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA  
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11 RONALD F. MARTINEZ,

12 Plaintiff,

13 v.

14 A. PARKS, et al.,

15 Defendants.  
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Case No. 1:21-cv-01496-ADA-BAK (SAB) (PC)

ORDER DENYING PLAINTIFF'S MOTION  
FOR RELIEF FROM A COURT ORDER  
PURSUANT TO RULE 60

(Doc. No. 22)

ORDER OVERRULING PLAINTIFF'S  
OBJECTIONS TO THE MAGISTRATE  
JUDGE'S ORDERS DENYING LEAVE TO  
EXCEED 25-PAGE LIMIT AND DENYING  
MOTION FOR A COPY OF THE FIRST  
AMENDED COMPLAINT

(Doc. No. 23)

21 Plaintiff Ronald F. Martinez ("Plaintiff") is a state prisoner, proceeding *pro se* and *in*  
22 *forma pauperis*, in this civil rights action filed under 42 U.S.C. § 1983. Plaintiff has filed a  
23 motion under Federal Rule of Civil Procedure 60, seeking relief from an order denying Plaintiff  
24 leave to file a first amended complaint ("FAC") exceeding twenty-five pages and denying  
25 Plaintiff's request for a copy of his lodged FAC. (Doc. No. 22.) On the same day, Plaintiff filed  
26 objections to the order, raising the same arguments. (Doc. No. 23.)

27 On December 8, 2021, the court entered an order granting Plaintiff's motions for copies  
28 of the complaint and motions he had filed previously, based on his inability to access the law

1 library to make copies. (Doc. No. 13.) The court advised: “This is a one-time allowance, and  
2 the Court will not again provide copies without the plaintiff prepaying the cost. He is urged to  
3 obtain copies of his documents before filing if he wishes to have them.” (Doc. No. 13.)

4 On January 10, 2022, Plaintiff filed a motion to amend his complaint. (Doc. No. 16.)  
5 The court granted the motion and ordered Plaintiff to limit the pleading to twenty-five pages.  
6 (Doc. No. 17.) Thereafter, Plaintiff filed a motion for leave to exceed the twenty-five-page limit  
7 and lodged a 109-page FAC. (Doc. Nos. 19, 20.) Plaintiff also requested a copy of his lodged  
8 FAC. (Doc. No. 18.) On April 5, 2022, the court denied Plaintiff’s leave to exceed the 25-page  
9 limit and, quoting the court’s prior order (Doc. No. 13), denied Plaintiff’s request for a copy of  
10 his lodged FAC. (Doc. No. 21.)

11 In response, Plaintiff filed the instant motion under the Federal Rule of Civil Procedure  
12 Rule 60(b)(6), seeking relief from the court’s order of April 5, 2022, for “any other reason that  
13 justifies relief.” (Doc. No. 22.) At the same time, Plaintiff filed objections to the order. (Doc.  
14 No. 23.) After filing these pleadings, Plaintiff filed a second motion for leave to file an FAC  
15 exceeding the twenty-five-page limit, and he lodged a thirty-nine-page FAC. (Doc. Nos. 27, 28.)  
16 On May 17, 2022, the court entered an order granting Plaintiff leave to file an FAC exceeding  
17 twenty-five pages and accepting the FAC as filed. (Doc. No. 29.) Therefore, Plaintiff’s  
18 objections and motion for relief are denied as moot with respect to the filing of the FAC.

19 Plaintiff also objects to, and seeks relief from, the court’s denial of his request for the  
20 original or a copy of his lodged FAC. Plaintiff asserts that he is unable to make copies of his  
21 filings because Defendants obstruct Plaintiff’s access to the law library, thereby preventing him  
22 from making copies. Plaintiff argues that without the original or a copy of the lodged FAC or  
23 the original complaint, he “has nothing to draft a FAC as ordered,” (Doc. No. 22 at 2), and  
24 cannot “effectively litigate, prosecute, this and other actions without the administrative  
25 assistance from the Court.” (Doc. No. 23 at 6-7.) Despite these representations, Plaintiff did file  
26 a revised FAC with exhibits, (Doc. No. 28), which has been accepted for filing. (See Doc. No.  
27 29.)

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1 The court does not ordinarily provide free copies of documents to parties. *Young v. Cal.*  
2 *Dep't of Corr. & Rehab.*, No. 1:07-CV-01121-GSA-PC, 2010 WL 2756785, at \*2 (E.D. Cal.  
3 July 12, 2010). “Neither Plaintiff’s *pro se* status nor his prisoner status entitle him to receive  
4 complimentary copies.” *Harper v. Well Path, LLC.*, No. 1:21-CV-558-JLT-HBK, 2022 WL  
5 1104742, at \*2 (E.D. Cal. Apr. 13, 2022). The Clerk’s Office may provide copies of up to  
6 twenty (20) pages and prepayment of the copy fees at \$0.50 per page.<sup>1</sup> *See* 28 U.S.C. § 1914;  
7 *Harper*, 2022 WL 1104742, at \*2; *Shepard v. Cohen*, No. 1:11-cv-00535-LJO-GSA-PC, 2015  
8 WL 2380810, at \*2 (E.D. Cal. May 18, 2015).

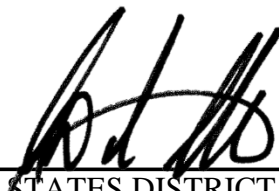
9 Plaintiff has not shown good cause for the Clerk to provide him with his requested copies  
10 without prepayment. The court’s order of April 5, 2022, denying Plaintiff a copy of his lodged  
11 109-page FAC, does not prevent Plaintiff from obtaining a copy of the rejected FAC or any other  
12 document in the record.<sup>2</sup> Plaintiff may obtain copies from the Clerk of Court if he pays for them  
13 in advance. Plaintiff’s trust account statement indicates that he has sufficient funds for this  
14 purpose. (*See* Doc. Nos. 9, 11.)

15 Accordingly:

- 16 1. Plaintiff’s motion for relief from judgment, (Doc. No. 22), is DENIED; and
- 17 2. Plaintiff’s objections to magistrate judge’s orders denying Plaintiff’s motions for  
18 leave to exceed twenty-five (25) page limit and denying motion for copy of FAC,  
19 (Doc. No. 23), are OVERRULED.

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22 IT IS SO ORDERED.

23 Dated: September 15, 2022

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UNITED STATES DISTRICT JUDGE

26 <sup>1</sup> Checks in the exact amount are payable to “Clerk, USDC.” For larger copy orders, the Plaintiff may contact  
27 Attorney’s Diversified Service by writing to them at 741 N. Fulton Street, Fresno, CA 93728, by phoning 1–800–  
28 842–2695, by faxing a request to 559–486–4119, or by leaving a voice mail at 559–259–8544. *See Young*, 2010 WL  
2756785, at \*2 n.1.

<sup>2</sup> Copies of documents issued by the Court or filed by Defendants are automatically served on Plaintiff by mail.