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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

TRAVIS JUSTIN CUELLAR,  
Plaintiff,  
v.  
ARAMARK, et al.,  
Defendants.

No. 1:24-cv-01196-SAB (PC)  
ORDER GRANTING PLAINTIFF’S MOTION  
FOR COPY OF SCREENING ORDER  
(ECF No. 16)

Plaintiff is proceeding pro se and in forma pauperis in this action filed pursuant to 42 U.S.C. § 1983.

Currently before the Court is Plaintiff’s motion for a copy of the Court’s November 26, 2024, screening order, filed January 23, 2025. (ECF No. 16.) Plaintiff submits that his legal papers “were ransacked by jail staff and certain legal documents were in fact stolen ....” (ECF No. 16.) Plaintiff’s amended complaint is due on or before February 10, 2024. (ECF No. 15.)

Plaintiff is advised that “prisoners have a constitutional right of access to the courts,” Bounds v. Smith, 430 U.S. 817, 821 (1977), there is no constitutional right to receive photocopies free of charge. Sands v. Lewis, 886 F.2d 1166, 1169 (9th Cir. 1990), overruled on other grounds by Lewis v. Casey, 518 U.S. 343, 351 (1996); see also Jones v. Franzen, 697 F.2d 801, 803 (7th Cir. 1983) (“[B]road as the constitutional concept of liberty is, it does not include the right to xerox.”); Wanninger v. Davenport, 697 F.2d 992, 994 (11th Cir. 1983) (finding no violation of

1 “appellant's constitutional rights when [prison officials] refused to provide him with free  
2 photocopies....”); Reynolds v. Wagner, 128 F.3d 166, 183 (3d Cir. 1997) (“[T]here is no First  
3 Amendment right to subsidized [legal] mail or photocopying.”).

4 The rule prohibiting free photocopies is the same for plaintiffs proceeding in forma  
5 pauperis. See In re Richard, 914 F.2d 1526, 1527 (6th Cir. 1990) (Title 28 U.S.C. section 1915  
6 “waives only ‘prepayment of fees and costs and security ...’ [but] does not give the litigant a right  
7 to have documents copied and returned to him at government expense.”); Hadsell v. Comm’r  
8 Internal Revenue Service, 107 F.3d 750, 752 (9th Cir. 1997); Dixon v. Ylst, 990 F.2d 478, 480  
9 (9th Cir. 1993) (explaining that title 28 U.S.C. section 1915—governing proceedings in forma  
10 pauperis—does not waive the payment of fees or expenses required for an indigent’s witnesses);  
11 Tedder v. Odel, 890 F.2d 210, 211–12 (9th Cir. 1989) (per curiam) (quoting United States v.  
12 MacCollom, 426 U.S. 317, 321 (1976)) (holding that “the expenditure of public funds [on behalf  
13 of an indigent litigant] is proper only when authorized by Congress,” and that 28 U.S.C. section  
14 1915 does not provide such authorization); Tabron v. Grace, 6 F.3d 147, 159 (3d Cir. 1993)  
15 (courts are not authorized “to commit federal monies for payment of necessary expenses in a civil  
16 suit brought by an indigent litigant.” ) While Plaintiff is not entitled to free copies of his legal  
17 filings, in the interests of moving this case forward and assisting Plaintiff in preparing an  
18 amended complaint, the Court will make a one-time exception and send a courtesy copy of his  
19 original complaint and the Court’s November 26, 2024 screening order.

20 Accordingly, it is HEREBY ORDERED that the Clerk of Court shall send Plaintiff a  
21 courtesy copy of the Court’s November 26, 2024 screening order, (ECF No. 13), and Plaintiff’s  
22 amended complaint is due on or before February 10, 2024.

23  
24 IT IS SO ORDERED.

25 Dated: January 24, 2025



26 STANLEY A. BOONE  
27 United States Magistrate Judge  
28