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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KEVIN BARTHOLOMEW,

Plaintiff,

No. CIV S-08-3058 MCE KJM

vs.

CLIFF LANE, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a state prison inmate proceeding pro se with a civil rights action under 42 U.S.C. § 1983. On August 24, 2010, he filed a motion to compel discovery and for an order directing defendants to provide a copy of the transcript of his deposition, taken on May 28, 2010. Defendants have opposed the motion on the grounds of untimeliness.

In this court’s scheduling order of March 12, 2010, all motions to compel discovery were due no later than June 12, 2010. Docket No. 17. Plaintiff’s requests to have defendants comply with the lengthy discovery requests attached to his motion are not timely.

Arguably plaintiff could not know that defendants would not supply a copy of his deposition transcript until after the discovery deadline had passed. His motion is nevertheless not well-taken: even a litigant proceeding in forma pauperis must bear his own discovery costs

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1 and cannot compel the defendants to provide a free transcript of the deposition they took.

2 Dujardine v. Michigan Dept. of Corrections, 2009 WL 3401172 at 1 (W.D. Mich. 2009).

3 IT IS HEREBY ORDERED that plaintiff's motion to compel discovery (docket
4 no. 19) is denied.

5 DATED: September 23, 2010.

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8 U.S. MAGISTRATE JUDGE

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