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

ARIEL BALTHROPE,

Plaintiff,

No. 2:10-cv-3003-KJM-JFM (PS)

vs.

SACRAMENTO COUNTY OF  
HEALTH AND HUMAN SERVICES,  
et al.,

Defendants.

ORDER

\_\_\_\_\_ /  
Pending before the court is plaintiff’s April 26, 2012 “Motion for Court Afforded Depositions.” Doc. No. 74. Plaintiff seeks a court-appointed stenographer for the depositions of unidentified witnesses. Plaintiff’s request shall be denied because, although she is proceeding in forma pauperis, the expenditure of public funds on behalf of an indigent litigant is proper only when authorized by Congress. See Tedder v. Odel, 890 F.2d 210 (9th Cir. 1989) (citations omitted). The in forma pauperis statute does not authorize the expenditure of public funds for a court-appointed stenographer. See 28 U.S.C. § 1915; Wright v. United States, 948 F. Supp. 61, 61-62 (M.D. Fla. 1996) (parties proceeding in forma pauperis are responsible for payment of discovery costs, including the costs of depositions, fees for court reporters and transcripts); Papas v. Hanlon, 849 F.2d 702, 703-04 (1st Cir. 1988) (affirming an order requiring litigants

1 proceeding in forma pauperis to pay stenographer's fees); Barcelo v. Brown, 655 F.2d 458, 462  
2 (1st Cir. 1981) (in forma pauperis statute does not authorize a district court to order payment of  
3 transcripts).

4 Plaintiff also seeks leave to conduct depositions in this court. This request is  
5 premature. In light of this court's ruling regarding compensation of deposition reporters, it is not  
6 when or whether plaintiff will be conducting depositions.

7 ACCORDINGLY, IT IS HEREBY ORDERED that:

- 8 1. Plaintiff's April 26, 2012 request for payment of deposition expenses is  
9 denied; and  
10 2. Plaintiffs motion to conduct depositions inside this court is denied without  
11 prejudice.

12 DATED: May 3, 2012.

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15 UNITED STATES MAGISTRATE JUDGE

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