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

MERRICK J. MOORE,

Plaintiff,

No. 2:11-cv-3273 GGH P

vs.

L. GONZALEZ, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff has been granted leave to proceed with this action in forma pauperis pursuant to 28 U.S.C. § 1915.

On October 25, 2012, plaintiff filed a request for a court-appointed private investigator. The expenditure of public funds on behalf of an indigent litigant is proper only when authorized by Congress. Tedder v. Odel, 890 F.2d 210 (9th Cir. 1989). The in forma pauperis statute does not authorize the expenditure of public funds for private investigators. See 28 U.S.C. § 1915.

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1 Accordingly, IT IS HEREBY ORDERED that plaintiff's request for a court-
2 appointed private investigator (Docket No. 44) is denied.

3 DATED: November 8, 2012

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5 /s/ Gregory G. Hollows
6 UNITED STATES MAGISTRATE JUDGE

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