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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LOUREECE CLARK,
Plaintiff,
v.
THOMAS McGUIRE, et al.,
Defendants.

No. 2: 12-cv-2159 LKK KJN P

ORDER

Plaintiff is a state prisoner, proceeding without counsel and in forma pauperis, with a civil rights action pursuant to 42 U.S.C. § 1983. Pending before the court is plaintiff’s September 13, 2013 motion for a copy of his deposition transcript. Plaintiff requests that the fee for the transcript be waived.

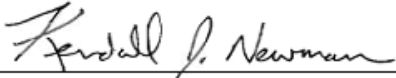
Although the court granted plaintiff leave to proceed in forma pauperis, “the expenditure of public funds [on behalf of an indigent inmate] is proper only when authorized by Congress.” Tedder v. Odel, 890 F.2d 210, 211 (9th Cir. 1989) (quoting United States v. MacCollom, 426 U.S. 317, 321 (1976)). The expenditure of public funds for deposition transcripts is not authorized by the in forma pauperis statute of any other statute. See 28 U.S.C. § 1915.

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Accordingly, IT IS HEREBY ORDERED that plaintiff's motion for a transcript (ECF No. 25) is denied.

Dated: September 25, 2013


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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