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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVID D. HARRIS,
Plaintiff,
v.
N. KENNEDY, et al.,
Defendants.

No. 2:16-cv-0588 DB P

ORDER

Plaintiff is a state prisoner proceeding pro se and in forma pauperis with a civil rights action under 42 U.S.C. § 1983. Plaintiff alleges defendants failed to take appropriate action when plaintiff attempted suicide in August 2015. Before the court is plaintiff’s “Discovery Motion.” (ECF No. 37.) Plaintiff requests the court order defendants to provide him copies of the transcript of his deposition and of two documents which were apparently produced during the deposition.

To the extent plaintiff is requesting the court order defendant to provide plaintiff a copy of the transcript free of charge, the court will not do so. There is no statutory requirement for the government to provide a litigant proceeding in forma pauperis with a copy of a deposition transcript. See 28 U.S.C. § 1915(d); see also Whittenberg v. Roll, No. 2:04-cv-2313 FCD JFM, 2006 WL 657381, at *5 (E.D. Cal. Mar. 15, 2006) (denying plaintiff’s motion to compel defendant to provide him with a copy of the deposition transcript free of charge).

1 Moreover, under Rule 30(f)(3) of the Federal Rules of Civil Procedure, the officer before
2 whom a deposition is taken must provide a copy of the transcript to any party or to the deponent
3 upon payment of reasonable charges therefor. Id. Thus, the court will not order the court
4 reporter, defense counsel, or the defendant to provide plaintiff with a copy of his deposition
5 transcript without charge. Plaintiff must obtain the deposition transcript from the officer before
6 whom the deposition was taken on. See Boston v. Garcia, No. 2:10-cv-1782 KJM DAD, 2013
7 WL 1165062, at *2 (E.D. Cal. Mar. 20, 2013) (denying plaintiff's request for a court order
8 directing the defendant to provide him with a copy of his deposition transcript).

9 For these reasons, IT IS HEREBY ORDERED that plaintiff's "discovery motion" (ECF No.
10 37) is denied.

11 Dated: August 8, 2017

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15 DEBORAH BARNES
16 UNITED STATES MAGISTRATE JUDGE

17 DLB:9
18 DLB1/prisoner-civil rights/harr0588.mot for trscript
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