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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

DARRYL DUNSMORE, et al.,

vs.
PARAMO, Warden, et al.,

Plaintiff,

Defendant.

CASE NO. 14cv508-LAB (JMA)
**ORDER DENYING MOTION FOR
RELIEF FROM JUDGMENT**

Plaintiff Darryl Dunsmore, a prisoner in state custody, filed his complaint on March 5, 2014, along with three motions, including one motion to proceed *in forma pauperis*. The following month, he was denied leave to proceed *in forma pauperis* and his complaint was dismissed. Since that time, Dunsmore has pursued a number of unsuccessful motions and appeals.

Dunsmore filed a motion, styled "Motion for the Record," requesting that he be sent a copy of every document filed in the docket, without charge. He identified no provision in federal law, nor was the Court aware of one, that entitled him to free copies of all documents in the record under these circumstances. The only reason he gave for his request is that he was pursuing a civil rights action in state court and had been awarded a fee waiver there. The Court denied that motion.

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1 Dunsmore filed an amended motion saying essentially the same thing, but adding that
2 he needs the documents so he can win his case in state court. It chided the Court for, in his
3 opinion, wrongly dismissing his complaint. And it attached some documents showing that he
4 is not required to pay certain fees in connection with his state court case. Those documents
5 do not purport to entitle him to free documents from this Court.

6 Dunsmore has now filed a motion for reconsideration. He begins by complaining at
7 length that his claims in state court are meritorious and he is being denied justice. He then
8 argues that the Court misunderstood his two earlier motions, and that what he is actually
9 requesting is that the Court will send him copies of all the requested documents and charge
10 his prison trust account for them. He claims the state court's fee waiver somehow authorizes
11 this arrangement. It does not. The fee waiver does not purport to authorize, much less
12 require, the kind of arrangement Dunsmore is asking for. Furthermore, even if the state
13 court's order did purport to require this Court to grant Dunsmore's request, in the absence
14 of explicit congressional authorization, it could not regulate this Court. *See Hancock v. Train*,
15 426 U.S. 167, 167 (1964) (citation omitted) (“[T]he activities of the Federal Government are
16 free from regulation by any state.”). The financial arrangement Dunsmore asks for is not
17 feasible, and the Court therefore will not order it. Furthermore, it is unnecessary, because
18 Dunsmore can obtain the documents he seeks without an order from this Court.

19 The way for Dunsmore to obtain copies is for Dunsmore (or someone acting on his
20 behalf) to either order them from the Court's records department, or obtain them through
21 PACER.¹ The Court's records department has estimated the cost of all the records
22 Dunsmore requests at \$296.00. He may send his check, made out to the Clerk of Court,
23 directly to the records department, Office of the Clerk, U.S. District Court for the Southern
24 District of California, 333 West Broadway Suite 420, San Diego, CA 92101.

25 Any further questions or correspondence on this matter should be directed to the
26 records department, not to the Court itself, and should not be the subject of a motion.

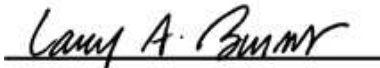
27 _____
28 ¹ The PACER web address is <https://www.pacer.gov/> and those with PACER accounts
can obtain copies of docketed materials directly there. No court order is needed.

1 The Clerk is directed to send a copy of this order, and a copy of the docket printout²
2 to Dunsmore. If he wishes to request only some of the documents in the docket, he should
3 direct that request to the records department in the Clerk's office.

4 The motion is **DENIED**.

5 **IT IS SO ORDERED.**

6 DATED: November 30, 2015

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8 **HONORABLE LARRY ALAN BURNS**
9 United States District Judge

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28 ² The docket printout merely lists items filed in the docket, and is several pages long. The Clerk is not being directed to send Dunsmore copies of any documents filed in the docket, except for this order.