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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

LANCE WILLIAMS,

Plaintiff,

v.

O. ORTEGA, et al.,

Defendants.

Case No.: 18cv547-LAB-MDD

**ORDER DENYING PLAINTIFF'S
MOTION TO APPOINT A
PRIVATE INVESTIGATOR**

[ECF No. 91]

On October 21, 2020, Lance Williams (“Plaintiff”), a state prisoner proceeding *pro se* and *in forma pauperis*, filed a motion for appointment of a private investigator. (ECF No. 91). Plaintiff contends he needs an investigator to help locate and interview witnesses “to minimize jury trial time due to testifying.” (*Id.* at 1).

Title 28, U.S.C. § 1915, authorizes federal courts to permit commencement of a suit without prepayment of fees and costs upon a showing of indigency and allows indigents who are unable to pay the entire filing fee upon filing to pay in installments. 28 U.S.C. § 1915(a) & (b). Section 1915 does not authorize or require federal courts to finance or subsidize a civil action or appeal by paying expert fees or other costs. *Hadsell*

1 *v. Commissioner of Internal Revenue Service*, 107 F.3d 750, 752 (9th Cir.
2 1997); *Dixon v. Ylst*, 990 F.2d 478, 480 (9th Cir. 1993). The expenditure of
3 public funds on behalf of an indigent litigant is proper only when authorized
4 by Congress. See *United States v. MacCollom*, 426 U.S. 317, 321 (1976);
5 *Tedder v. Odel*, 890 F.2d 210, 211 (9th Cir. 1989).

6 Plaintiff has not shown any Congressional authority for the Court to
7 pay for an investigator for him in this civil action. An incarcerated *pro se*
8 plaintiff may have great difficulty pursuing his action from prison, but that
9 does not mean that the Court can or must fund his efforts. He must find a
10 way to prosecute his action within his financial means and consistent with
11 his status as a prisoner.

12 Accordingly, Plaintiff's motion for a private investigator is **DENIED**.

13 **IT IS SO ORDERED.**

14 Dated: October 21, 2020



15 Hon. Mitchell D. Dembin
16 United States Magistrate Judge
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