

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01268-MSK-KLM

ERNEST WEST,

Plaintiff,

v.

CAPTAIN SCOTT, Sterling Corrections;
JOANN STOCK, Sterling Medical;
MR. ESTEP, CMRC Director;
MR. YOUNGBLOOD;
MR. YEATON, Unit Manager CMRC; and
MS. CALLWELL, CMRC Medical,

Defendants.

ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on Plaintiff's **Motion to Ask Courts[sic] Permission to Appoint Notary Public and Official** [Docket No. 57; Filed January 8, 2010] (the "Motion"). Plaintiff seeks the appointment of a notary public and official so that he can take depositions of Defendants. He claims that he is indigent and cannot afford to pay for the depositions.

It is apparent that Plaintiff requests appointment of a court reporter for his depositions of Defendants. Plaintiff is appearing *pro se* and has been granted *in forma pauperis* status. Other than the filing fee, *in forma pauperis* status does not relieve Plaintiff of the costs associated with litigation. *Green v. Dormire*, No. 08-4047-CV-C-NKL, 2010 WL 56004, at * 2 (W.D. Mo. Jan. 5, 2010); *Ayers v. Richards*, No. C08-5390 BHS/KLS, 2009 WL 2163176, at * 5. Fed. R. Civ. P. 30 (b) requires that the party seeking the deposition

bear the costs of recording the deposition. The Court does not have the authority to pay a party's discovery expenses, including the payment of a court reporter. *Brooks v. Quinn & Quinn*, 257 F.R.D. 415, 417 (D. Del. 2009); *Shoucair v. Snacker*, No. 05-40341, 2009 WL 482689, at *1 (E.D. Mich. Feb. 25, 2009). Any costs associated with the taking of a deposition are to be borne by Plaintiff. *Id.*; *Shallowhorn v. United States*, No. 1:07-cv-1856-OWW-SMS, 2008 WL 2875353, at * 2 (E.D. Cal. July 23, 2008); *see also Wright v. United States*, 948 F. Supp. 61, 61-62 (M.D. Fla. 1996) (collecting cases). If Plaintiff is unable to afford to depose Defendants, he has other discovery options, including interrogatories, requests for admissions, and requests for the production of documents. *Green*, 2010 WL 56004 at *4. Accordingly,

IT IS HEREBY **ORDERED** that the Motion is **DENIED**.

Dated: February 11, 2010

BY THE COURT:

s/ Kristen L. Mix
Kristen L. Mix
United States Magistrate Judge