

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-02207-CMA-MJW

SHAWN D. ALLEN,

Plaintiff,

v.

N. ALLEN,
C. FLORY,
A. COSNER,
K. NORDELL,
A. MEDINA,
K. SOKOL, and
C. TUTTLE,

Defendants.

MINUTE ORDER

Entered by Magistrate Judge Michael J. Watanabe

It is hereby **ORDERED** that the plaintiff's Motion to Have Defendant's [sic] Ordered to Provide Plaintiff Recording of Any Deposition Taken (Docket No. 77) is denied.

Plaintiff may obtain a copy of any recording or transcript in accordance with Fed. R. Civ. P. 30(f)(3), which provides: "When paid reasonable charges, the officer [who was appointed or designated under Rule 28] must furnish a copy of the transcript or recording to any party or the deponent." A litigant "has no right to obtain documents [including transcripts] through discovery free of charge . . . , his status as an *in forma pauperis* litigant notwithstanding." Hawkinson v. Montoya, 2006 WL 1215397, at *2 (D. Colo. May 4, 2006). See Patel v. United States, 399 Fed. Appx. 355, 359 (10th Cir. Oct. 19, 2010) (unpublished) ("the in forma pauperis statute makes no provision for litigation expenses other than the reproduction of the record and [certain] transcripts [not those applicable here]."); Gibson v. Campbell, 2010 WL 5158369, at *2 (D. Colo. Dec. 14, 2010) ("regardless of Plaintiff's *in forma pauperis* status, he is not entitled to cost-free discovery in this action"); Tinsley v. Wright, 2010 WL 6422745, at *3 (D. S.C. Aug. 23, 2010) (report and recommendation adopted by district court) ("Civil litigants, including pro se litigants, generally bear their own deposition costs." Plaintiff was denied funds to pay for depositions.); Wright v. United States, 948 F. Supp. 61, 62 (M.D. Fla. 1996) (collecting cases) ("the majority of the courts that have addressed the issue of payment of court reporter fees and costs of transcription have found that section 1915 does not

give the trial court authority to direct the government to pay for such costs.”).

Date: October 4, 2011
