

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

JEAN GONZALEZ,	:	
Plaintiff,	:	
	:	
v.	:	CASE NO. 3:13-cv-1469 (SRU)
	:	
GREG CHEVERIER,	:	
Defendant.	:	

RULING ON PLAINTIFF’S MOTION TO DEPOSE DEFENDANT [Doc. #15]

The plaintiff seeks leave to depose the defendant at Cheshire Correctional Institution and to allow him to use a tape recorder during the deposition.

Although the plaintiff was permitted to file this case in forma pauperis, that status does not entitle him to discovery costs or litigation services. See Riddick v. Chevalier, No. 3:11cv1555(SRU), 2012 WL 3289079, at *1 (D. Conn. Aug. 9, 2012); see also, Hawks v. Diina, No. 05 Civ. 156A, 2006 WL 2806557, at *4 (W.D.N.Y. Sept. 28, 2006) (holding that the court may not authorize the commitment of federal funds to underwrite discovery and litigation expenses of an indigent civil litigant’s action); Garraway v. Morabito, No. 9:99CV1913(HGM), 2003 WL 21051724, at *7 (N.D.N.Y. May 8, 2003) (informing pro se litigant that in forma pauperis status does not waive costs of litigation or discovery). Nor are the defendants responsible for financing the plaintiff’s discovery costs. See Doe v. United States, 112 F.R.D. 183, 185 (S.D.N.Y. 1986).

The plaintiff does not indicate that he has sufficient funds to pay deposition expenses. Although he seeks leave to use a tape recorder during the deposition. He does not indicate whether the tape recorder is in addition to, or in lieu of, a court reporter. If it is addition to a

court reporter, the plaintiff does not indicate that he has sufficient funds to pay the associated costs. If use of a tape recorder is in lieu of a court reporter, the plaintiff does not indicate how he will ensure that the record is accurate and trustworthy. For example, the plaintiff does not indicate who will retain the tape, how he will ensure that the tape is not compromised or who will type the transcript.

The plaintiff's motion [Doc. #15] is denied without prejudice. The plaintiff may schedule a deposition of the defendant if he can demonstrate that he has sufficient funds to pay the associated deposition costs.

SO ORDERED this 16th day of April 2014, at Bridgeport, Connecticut.

/s William I. Garfinkel
William I. Garfinkel
United States Magistrate Judge