

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

JOE CHAMPS,)	
)	
Plaintiff,)	
)	
v.)	
)	Civil No. 09-379-MJR-CJP
Dr. MARVIN POWERS, and)	
TERRY CALIPER,)	
)	
Defendants.)	

ORDER

PROUD, Magistrate Judge:

Before the Court is plaintiff’s Motion to Compel. (**Doc. 73**). Defendant Powers filed a response at **Doc. 82**, and defendant Caliper filed a response at **Doc. 83**.

Plaintiff’s motion concerns defendants’ responses to his requests for production of copies of his medical records. Defendants objected that the records are equally available to plaintiff, and that defendants should not have to bear the expense of producing the records. Plaintiff argues that defendants’ access to the records is superior to his because defendants work in the health care unit while he is an inmate confined to his cell.

The Court rejects plaintiff’s argument. Plaintiff is not entitled to have the defendants pay the costs of his litigation. *Johnson v. Daley*, 339 F.3d 582, 586 (7th Cir. 2003). The record does not demonstrate that plaintiff cannot obtain sufficient access to his medical records. The Court notes that voluminous portions of plaintiff’s medical records are attached to defendants’ motions for summary judgment. Further, plaintiff has attached almost fifty pages of medical records to his response to defendant Caliper’s motion for summary judgment. **See, Doc. 91, Ex. A.**

Plaintiff’s Motion to Compel (**Doc. 73**) is **DENIED**.

IT IS SO ORDERED.

DATE: October 7, 2010.

s/ Clifford J. Proud
CLIFFORD J. PROUD
U.S. MAGISTRATE JUDGE

