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11UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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GREGORY BANKS,

Plaintiff,

v.

JOYCE, A.M. CALL NURSE, et al.,

Defendants.

Case No. 2:13-cv-00324-RCJ-PAL

ORDER

(Mtn for Copies – Dkt. #51)

12 This matter is before the court on Plaintiff Gregory Banks' Motion for Copies (Dkt. #51)
13 filed February 2, 2015. This matter was referred to the undersigned pursuant to 28 U.S.C.
14 § 636(a)(1)(A) and LR 1-3. The court has considered the Motion.

15 Plaintiff is a prisoner proceeding in this civil rights action pro se and in forma pauperis.
16 He has filed a form motion to request copies in a habeas case, which represents that he needs
17 copy work services to litigate this case and to serve the Defendants.

18 Generally, an inmate has no constitutional right to free photocopying. *See Johnson v.*
19 *Moore*, 948 F.2d 517, 521 (9th Cir. 1991). The statute providing authority to proceed in forma
20 pauperis, 28 U.S.C. § 1915, does not include the right to obtain court documents without
21 payment. *Id.* "The granting of an application to proceed in forma pauperis does not waive the
22 applicant's responsibility to pay expenses of litigation which are not covered by 28 U.S.C.
23 § 1915." LSR 1-8.

24 Additionally, courts in other jurisdictions have not permitted plaintiffs proceeding in
25 forma pauperis to receive free copies of documents from the court without the plaintiff
26 demonstrating a specific showing of need. *See, e.g., Collins v. Goord*, 438 F.Supp. 2d 399
27 (S.D.N.Y. 2006); *Guinn v. Hoecker*, 43 F.3d 1483 (10th Cir. 1994) (no right to free copy of any
28 document in record unless plaintiff demonstrates specific need); *In re Richard*, 914 F.2d 1526


1 (6th Cir. 1990) (28 U.S.C. § 1915 does not give litigant right to have documents copied at
2 government expense); *Douglas v. Green*, 327 F.2d 661, 662 (6th Cir. 1964) (no free copy of
3 court orders).

4 Here, Plaintiff has not stated any specific reason that he needs any particular copies. The
5 form motion asserts only a general need “for documents relevant to the instant proceeding,
6 including, but not limited to, supplemented/amended pleadings, motions, responses, replies,
7 notices, etc.” to serve on opposing parties and for Plaintiff’s own file. Motion at 2:22-25. This
8 is an insufficient showing, and Plaintiff’s Motion will therefore be denied without prejudice. If
9 Plaintiff does have a specific need for certain copies, he may file a renewed motion that states his
10 particular need for certain copies and includes a copy of Plaintiff’s inmate balance sheet to
11 demonstrate he cannot afford to pay for them.

12 Accordingly,

13 **IT IS ORDERED** that Plaintiff’s Motion for Copies (Dkt. #51) is DENIED.

14 Dated this 18th day of March, 2015.

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17 PEGGY A. LEEN
18 UNITED STATES MAGISTRATE JUDGE
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