

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 NATHAN DOUGLAS LAWRENCE,

4 Plaintiff,

5 v.

6 ELKO COUNTY, et al.,

7 Defendants.

Case No. 3:19-cv-00284-MMD-WGC

ORDER

8
9 **I. DISCUSSION**

10 This action began with a *pro se* civil rights complaint filed under 42 U.S.C. § 1983
11 by a former state prisoner. On March 10, 2020, this Court issued an order directing
12 Plaintiff to file his updated address and a non-prisoner application to proceed *in forma*
13 *pauperis* with this Court within thirty (30) days. (ECF No. 14.) Plaintiff filed an updated
14 address with the Court, but he did not file a non-prisoner application to proceed *in forma*
15 *pauperis*. (ECF No 16.) Because it was not clear whether Plaintiff received the Court's
16 order, the Court issued another order stating that Plaintiff must file a non-prisoner
17 application to proceed *in forma pauperis* within thirty days. (ECF No. 17.) Plaintiff did not
18 file a non-prisoner application to proceed *in forma pauperis* or otherwise respond to the
19 Court's order, and on September 9, 2020, the Court dismissed this action without
20 prejudice and closed this case. (ECF No. 18.)

21 Plaintiff has now filed another change of address and requested copies of all the
22 documents filed in this case so that he can file an amended complaint. (ECF No. 21.)
23 This case has been closed, and Plaintiff cannot file an amended complaint in this case.
24 However, because the case was dismissed without prejudice, Plaintiff may pursue his
25 claims in a new action by filing a complaint and an application to proceed *in forma*
26 *pauperis* in a new case.

27 As for Plaintiff's request for copies, there is a per page charge for copy work.
28 Copies produced from an electronic format (CM/ECF) are \$.10 per page; copies produced

1 from a physical format are \$.50 per page. An inmate has no constitutional right to free
2 photocopying. *Johnson v. Moore*, 948 F.2d 517, 521 (9th Cir. 1991). The Court cannot
3 provide free copies even to indigent plaintiffs proceeding *in forma pauperis* as the *in forma*
4 *pauperis* statute, 28 U.S.C. § 1915, does not authorize the Court to pay the costs for an
5 indigent litigant's copy requests.

6 The Court will direct the Clerk of the Court to send Plaintiff a courtesy copy of his
7 original complaint, as well as the approved form for filing a § 1983 complaint and
8 instructions for the same. The Court will also direct the Clerk of the Court to send Plaintiff
9 a copy of the docket sheet. If Plaintiff would like copies of any other filings, he must fill
10 out the appropriate paperwork and pay for the copies.

11 **II. CONCLUSION**

12 For the foregoing reasons, it is ordered that Plaintiff's request for copies (ECF No.
13 21) is granted in part and denied in part. The Clerk of the Court will send to Plaintiff the
14 approved form for filing a § 1983 complaint, instructions for the same, a copy of his original
15 complaint (ECF No. 1-1), and a copy of the docket sheet. If Plaintiff would like copies of
16 any other filings, he must fill out the appropriate paperwork and pay for the copies.

17 It is further ordered that if Plaintiff wishes to pursue his claims, he may initiate a
18 new action by filing a new complaint and a new application to proceed *in forma pauperis*
19 in a new case.

20
21 DATED THIS 16th day of October 2020.

22
23 William G. Cobb
24 UNITED STATES MAGISTRATE JUDGE