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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

ROBERT R. DI TROLIO  
CLERK, U.S. DIST. CT.  
W.D. OF TN, MEMPHIS

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CARLOS CHAVEZ,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
SHELBY COUNTY, et al.,	)	03 CV 2461 Ma/P
	)	
Defendants.	)	
	)	
	)	
	)	
	)	

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ORDER DENYING PLAINTIFF'S MOTION TO REQUEST TRANSCRIPTS OF  
DEPOSITIONS TAKEN ON JANUARY 28, 2004

Before the court is Plaintiff Carlos Chavez's Motion to Request Transcripts of Depositions Taken on January 28, 2004, filed on February 2, 2004 (docket #39). In his motion, Plaintiff, claiming indigency, asks for a copy of the transcript of his deposition taken on January 28. Defendants filed their response on February 4, 2004, stating that they had previously informed Plaintiff that he would have to contact the court reporter and pay for a transcript, and that Plaintiff is not entitled to a free transcript of his deposition. The motion was referred to the United States Magistrate Judge for determination.

There is no provision in the *in forma pauperis* statute, 28

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U.S.C. § 1915, "for the payment by the government of the costs of deposition transcripts, or any other litigation expenses, and no other statute authorizes courts to commit federal monies for payment of the necessary expenses in a civil suit brought by an indigent litigant." Tabron v. Grace, 6 F.3d 147, 159 (3d Cir. 1993) (citing cases); see Burns v. Gray, No. 96-7071, 1997 WL 26534, at \*1 (10th Cir. Jan. 24, 1997) ("There is no statutory requirement that the government provide a litigant proceeding *in forma pauperis* with a copy of his deposition transcript."); St. Hilaire v. Winhelm, No. 95-16051, 1996 WL 119505, at \*2 (9th Cir. Mar. 18, 1996) (same); see also In re Richard, 914 F.2d 1526, 1527 (6th Cir. 1990) (Section 1915 "does not give the litigant a right to have documents copied and returned to him at government expense."); Johnson v. Hubbard, 698 F.2d 286, 289 (6th Cir. 1983) ("Witness fees clearly fall in the category of items such as . . . depositions, . . . which the constitution does not require a court, or in practical terms, the federal government, to pay for at the request of the indigent party."). Although there are certain circumstances in which a court may order an opposing party to provide copies of deposition transcripts to an indigent litigant, Plaintiff has not demonstrated that he needs a copy of his transcript to prosecute his case or to defend against any pending defense motions. See Tabron, 6 F.3d at 159.

For these reasons, Plaintiff's motion is DENIED.

IT IS SO ORDERED.

Tu Pham

TU M. PHAM  
United States Magistrate Judge

2/27/04

Date



## Notice of Distribution

This notice confirms a copy of the document docketed as number 48 in case 2:03-CV-02461 was distributed by fax, mail, or direct printing on March 1, 2004 to the parties listed.

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Honorable Samuel Mays  
US DISTRICT COURT