

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ROBERT R. OLESON,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

ORDER

05-C-33-C

This is a civil action brought under the Federal Tort Claims Act. In his complaint, plaintiff contends that prison officials negligently installed a clothes dryer at the Federal Correctional Institution in Oxford, Wisconsin, causing him to suffer an electrical shock. Trial to the court is scheduled for June 19, 2006. Now plaintiff has filed a document titled "Motion for Court Order," in which he complains that defendant may have taken his deposition without the required court permission. In addition, he objects to having to pay the costs of a copy of a transcript from his deposition and the deposition of another potential witness in the case, a Dr. Richter. Plaintiff asks this court to order the United States to furnish him copies of the depositions and allow him to make necessary corrections to his own deposition before it is submitted to this court. The motion will be denied.

There is no authority for requiring the government to incur the expense of copying documents for the opposing party in a civil action brought under the Tort Claims Act. Of course, if defendant were to submit the transcript of plaintiff's or Dr. Richter's deposition to the court in connection with an appropriate motion, it would be required to serve a copy of its submission on plaintiff. If, however, plaintiff simply wants a copy of the deposition transcripts for his own records, he is responsible for paying for it.

With respect to plaintiff's request that he be allowed to "correct" the transcript before it is submitted to the court, plaintiff does not suggest why corrections to the record are necessary. Therefore, there is no basis for granting this request.

Finally, with respect to plaintiff's concern that the government did not have permission to take his deposition as required under Fed. R. Civ. P. 30(a)(2), I can assure him that the motion for permission to depose plaintiff was filed with the court on March 27, 2006, and granted on March 29, 2006, the same day plaintiff was deposed. Therefore, the government did not act in violation of Rule 30.

ORDER

IT IS ORDERED that plaintiff Robert R. Oleson's "Motion for Court Order" dated

April 9, 2006, is DENIED in all respects.

Entered this 13th day of April, 2006.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge