

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

VANESSA L. NAISHA,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil Action No. 18-738-RGA
	:	
DANA METZGER, et al.,	:	
	:	
Defendants.	:	

**MEMORANDUM**

1.     **Introduction.** Plaintiff Vanessa L. Naisha, a transgender who identifies as a woman, is housed in the Residential Treatment Center at the James T. Vaughn Correctional Center in Smyrna, Delaware. (D.I. 1). She appears *pro se* and has paid the filing fee. Before the Court are several motions filed by Plaintiff. (D.I. 31, 32, 38, 44).

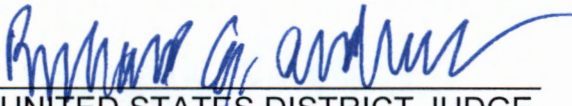
2.     **Motions to Amend.** Plaintiff has filed two motions for leave to amend. (D.I. 31, 38). I will deny the motions. The first motion was not signed by Plaintiff. (D.I. 31). Rather, it was signed and mailed by another individual, who it appears, is not an attorney. A non-attorney may not act as an attorney for other individuals and may only represent himself in this court. See 28 U.S.C. § 1654. The Court further notes that the motions seek to amend to add claims for different time-frames than those alleged in the original Complaint. Finally, neither motion complies with Local Rule 15.1. A previous order advised Plaintiff that she must comply with this rule when seeking to amend. (See D.I. 27). She did not.

3. **Request for Counsel.** Plaintiff has renewed her request for counsel. (D.I. 32). The request will be denied for the reasons set forth in the October 12, 2018 Memorandum. (See D.I. 9) Nothing has changed since then. Plaintiff paid the filing fee and has not sought *in forma pauperis* status or provided documentation to support a finding that she is a pauper. See 28 U.S.C. § 1915(e)(1) (Court may request an attorney to represent any person unable to afford counsel).

4. **Motion to Depose Defendants.** Plaintiff seeks to depose Defendants. (D.I. 44). I will deny the motion without prejudice to renew upon a showing that Plaintiff has the ability to pay the costs associated with deposing Defendants. Plaintiff does not proceed *in forma pauperis*, and it is not clear if she seeks the Court's assistance in paying such costs. Even were Plaintiff proceeding *in forma pauperis*, it is her responsibility to pay the costs associated with the taking of depositions. See *Badman v. Stark*, 139 F.R.D. 601, 605 (M.D. Pa. 1991) (§ 1915 does not require the government to advance funds for deposition expenses).

5. **Conclusion.** Based upon the above discussion, the Court will: (1) deny Plaintiff's motions for leave to amend (D.I. 31, 38); (2) deny Plaintiff's request for counsel (D.I. 32); and (3) deny without prejudice to renew Plaintiff's motion to depose defendants (D.I. 44). A separate order shall issue.

December 9, 2019  
Wilmington, Delaware

  
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

VANESSA L. NAISHA,

Plaintiff,

v.

DANA METZGER, et al.,

Defendants.

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Civil Action No. 18-738-RGA

ORDER

At Wilmington this 9 day of December, 2019, consistent with the

Memorandum issued this date;

IT IS HEREBY ORDERED that:

- 1. Plaintiff's motions for leave to amend (D.I. 31, 38) are **DENIED**.
- 2. Plaintiff's request for counsel (D.I. 32) is **DENIED**.
- 3. Plaintiff's motion to take Defendants' depositions (D.I. 44) is **DENIED**

without prejudice to renew upon a showing of financial resources to pay the costs of depositions.

  
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 UNITED STATES DISTRICT JUDGE