

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

Brendan Welch and Welch Racing v. David Wright, et al.

Welch · No. 4:23-cv-03128 · Decided January 16, 2026

SUMMARY

The United States District Court for the District of Nebraska grants Brendan Welch’s motion for a free copy of his prior amended complaint so that he can prepare a court-ordered supplement. The court extends the deadline for filing the supplement to February 17, 2026, warns that the courtesy copy is a one-time accommodation, and directs the Clerk’s Office to update the case-management deadline.

CASE DETAILS

COURT	United States District Court for the District of Nebraska
WRITING FOR THE COURT	Joseph F. Bataillon
JURISDICTION	United States District Court for the District of Nebraska
DECIDED	January 16, 2026
DOCKET	4:23-cv-03128
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for a free copy of a previously filed amended complaint so that he could prepare a court-ordered supplement. The district court granted the motion, directed the Clerk's Office to provide the copy, and extended the deadline for filing the supplement.
PRECEDENTIAL VALUE	unknown
PARTIES	Brendan Welch, Welch Racing v. David Wright, et al.

TOPICS

- pleadings
- civil procedure

PRACTICE AREAS

- civil procedure
- in forma pauperis proceedings

QUESTIONS PRESENTED

1. Whether an indigent civil litigant proceeding in forma pauperis is entitled to receive a free copy of a previously filed court document.

2. Whether the court should extend the deadline for filing the court-ordered supplement to the amended complaint.

HOLDINGS

1. The statutory right to proceed in forma pauperis does not include an entitlement to receive copies of court documents without payment.
2. The court granted the motion for a copy as a one-time courtesy so that plaintiff could comply with the order requiring a supplement, directed the Clerk's Office to provide the amended complaint, and extended the filing deadline to February 17, 2026.

KEY QUOTATIONS

“The statutory right to proceed in forma pauperis does not include the right to receive copies of documents without payment.”

“The generally recognized rule is that a court may not authorize the commitment of federal funds to underwrite the necessary expenditures of an indigent civil litigant’s action.”

FACTUAL BACKGROUND

Brendan Welch, a non-prisoner litigant proceeding in forma pauperis, had filed an amended complaint at Filing No. 42. After the court ordered him to supplement that pleading, he moved for a free copy because he lacked funds to obtain one. The court concluded that providing the copy was appropriate to permit compliance with its prior order, while warning that future copy requests would have to be directed to the Clerk's Office and paid for as required.

PROCEDURAL HISTORY

Plaintiff had previously filed an amended complaint and was required by an October 29, 2025 memorandum and order to file a supplement. Plaintiff sought a free copy because he could not afford to obtain one. The court granted the request as a one-time courtesy and extended the supplement deadline from January 30, 2026, to February 17, 2026.

DISPOSITION

other

CASES CITED

- Haymes v. Smith, 73 F.R.D. 572, 574 (W.D.N.Y. 1976)
- Tyler v. Lark, 472 F.2d 1077, 1078 (8th Cir. 1973)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA
BRENDAN WELCH, and WELCH RACING, Plaintiffs, 4:23CV3128 vs. MEMORANDUM

AND ORDER DAVID WRIGHT, et. al., Defendants. Plaintiff Brendan Welch (“Plaintiff”), a non-prisoner, filed a Motion, Filing No. 56, seeking a free copy of his prior amended complaint (the “First Amended Complaint”) which he filed in December of 2024, see Filing No. 42.

As cause, Plaintiff submits that this Court’s October 29, 2025, Memorandum and Order, see Filing No. 50, required him to file a supplement to his Amended Complaint filed in December of 2024, see Filing No. 42, but due to his inability to pay he cannot obtain a copy of the Amended Complaint to prepare a supplement. Upon consideration, Plaintiff’s Motion for Copies is granted to the extent Plaintiff seeks copies to prepare his amended complaint.

Filing No. 56. The statutory right to proceed in forma pauperis does not include the right to receive copies of documents without payment. 28 U.S.C. § 1915; see also Haymes v. Smith, 73 F.R.D. 572, 574 (W.D.N.Y.1976) (“The generally recognized rule is that a court may not authorize the commitment of federal funds to underwrite the necessary expenditures of an indigent civil litigant’s action.”) (citing Tyler v. Lark, 472 F.2d 1077, 1078 (8th Cir.

1973)). If Plaintiff requires copies of court documents in the future, he should contact the clerk’s office to determine the proper method of requesting and paying for copies. However, the Court shall grant Plaintiff’s Motion in this case only so he may comply with the Memorandum and Order granting him leave to supplement his Amended Complaint. And, as the current deadline to file his supplement is January 30, 2026, this Court shall sua sponte grant Plaintiff an additional 15 days to comply.

IT IS THEREFORE ORDERED that: 1. The Motion, Filing No. 56, is granted. Plaintiff is warned that this is a one- time courtesy and all further requests for copies in this case must be directed to the Clerk’s Office. 2.

The Clerk’s Office is instructed to provide Plaintiff a copy of the Amended Complaint at Filing No. 42. 3. The Court, sua sponte, grants Plaintiff an additional 15 days beyond the current January 30, 2026, deadline to file his Supplement. If Plaintiff fails to file his Supplement by February 17, 2026, the Court shall perform an initial review of the Amended Complaint at Filing No. 42.

Plaintiff is further warned, no further extensions of the February 17, 2026, deadline for filing the Supplement shall be granted without a showing of exceptional circumstances. 4. The Clerk’s Office is directed to terminate the pro se case management deadline of “January 30, 2026: check for supplement to complaint” and set the following pro se case management deadline: February 17, 2026: check for Supplement to Amended Complaint.

Dated this 16th day of January, 2026. BY THE COURT: Gs F ~ Joseph F. Bataillon Senior United States District Court

