

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

DAVID P. GRIFFIN	§	
PLAINTIFF,	§	
	§	
VS.	§	CAUSE NO. A-09-CV-107-LY
	§	
PUBLIC ACCESS COMMUNITY	§	
TELEVISION ALSO KNOWN AS	§	
CHANNEL AUSTIN; ITS BOARD OF	§	
DIRECTORS, CATHY BEAUDOIN,	§	
JACKIE GOODMAN, CELIA HUGHES,	§	
EMANUEL LIMUEL PALOMO,	§	
DANIEL SCARDINO, AND	§	
DEBORAH L. HILL,	§	
DEFENDANTS.	§	

DEFENDANTS' RESPONSE TO  
PLAINTIFF'S MOTION FOR INTERPRETER

COME NOW, DEFENDANTS in the above-styled and numbered cause, and without waiving personal jurisdiction but rather insisting on the same and makes this their special appearance in order to respond to Plaintiff's Motion for Interpreter, and states as follows:

I.

On March 25, 2009, Plaintiff made a motion requesting permission to use "an interpreter." Defendants have previously acknowledged Plaintiff's status as a *Pro Se* Plaintiff and need not discuss that further. Defendants will focus on the appropriateness of the motion and not the procedural aspects. (Plaintiff cites Rule 183 of the Texas Rules of Procedure. In any event, Plaintiff is seeking relief from this Court.)

II.

Plaintiff states, without supporting documentation, that he has a disability of "dyslexia." There are various degrees of this condition and many Americans can suffer from it in one form

or another, even though the person may never formally be diagnosed as having, or being disadvantaged, by the condition. There is no documentation presented to support that Plaintiff has, or is disadvantaged, due to the condition of “dyslexia.” Plaintiff denies the Court and the Defendants the opportunity to consider whether the condition exists or upon its severity. Based upon the request, it likely is unnecessary to rule upon whether Plaintiff has presented sufficient evidence of a recognized medical condition.

### III.

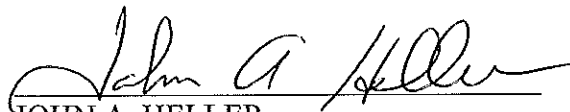
Plaintiff asserts that “dyslexia” makes it difficult to read, write or take notes and places him at a disadvantage should a document be presented to him. He further alleges that it restricts his ability to view printed words. Plaintiff further opines that if the Court would give him oral instructions, he would be unable to take the information down. Clearly, Plaintiff appears to be asking that should the Court conduct any hearing on this suit that he be permitted to bring along “someone else” to read and take notes for him. Plaintiff does not claim that he is unable to understand instructions or to receive information from the Court. Merely he states, that should he be given instructions by the Court, he believes that he could not make notes about those instructions and that provision would have to be made to provide him with a record, in a usable form, of any specific instructions. Plaintiff does not claim that he is unable to understand any document that might be presented to him or referenced for him, but merely that someone would need to read it aloud for him. Plaintiff offers that he would be solely responsible for providing and compensating this “interpreter.”

### III.

Being unaccustomed to legal proceedings, Plaintiff appears to be skeptical that during any hearing either the Court or Defendants and their legal representation would be

unsympathetic to Plaintiff being comfortable that matters are carefully presented or that due time be afforded so that Plaintiff can comprehend the nature of the proceedings. Defendants have no opposition to permitting Plaintiff to bring someone (non-legal representation) to any hearing for the sole purpose of reading documents to him or taking notes on his behalf. The true nature of Plaintiff's request hardly requires the Court to formally appoint an "interpreter" in any sense required by the Rules of Procedure. It may be sufficient to reassure Plaintiff that courtesy will be afforded to him at any formal hearing or Court appearance and that in the future he would be afforded an opportunity to formally reassert his motion should it appear that some form of "an interpreter" would in fact be necessary.

Respectfully submitted,



JOHN A. HELLER  
State Bar No. 09394600

Of Counsel:  
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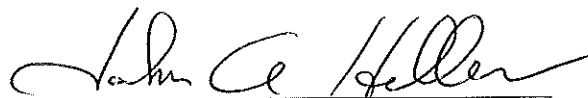
ATTORNEY FOR DEFENDANTS

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing has been furnished to the following, as indicated, this 2<sup>nd</sup> day of April 2009:

David Griffin  
15406 Ullman Rd  
Austin, Texas 78734

*via certified mail and electronic mail*



John A. Heller

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**ORDER REGARDING PLAINTIFF'S MOTION FOR INTERPRETER**

On this day came to be considered Plaintiff's Motion For Interpreter. After reviewing the Motions, Complaint, Summons, and other information on file, it is determined that Plaintiff's Motion should be in all things \_\_\_\_\_.

It is, therefore, ORDERED, ADJUDGED AND DECREED that Plaintiff's Motion For Interpreter is \_\_\_\_\_.

SIGNED this \_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
LEE YEAKEL  
UNITED STATES DISTRICT JUDGE