

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE
IN AND FOR NEW CASTLE COUNTY

VIRGIL N. MANGRUM,	:	
		:
Plaintiff,	:	
	:	
v.	:	C.A. No. 00C-07-012 SCD
	:	
LEWIS WARREN AND J. LLEWELLYN :	:	
BELL MEMORIAL CHAPEL,	:	
	:	
Defendants.		

O R D E R

Del Pesco, J.

This 29th day of May 2001, the plaintiff-appellant, Virgil Mangrum (“Mangrum”), having filed a motion for transcripts in compliance with the direction of the Chief Deputy Clerk of the Supreme Court, along with an Affidavit in Support of Application to Proceed *In Forma Pauperis*, and Directions to Court Reporter of Proceedings Below to be Transcribed Pursuant to Rule 9(e), it appears that:

(1) Mangrum’s motion seeks a transcript of the "proceedings of the trial thereon April 23, 2001 at 9:30 a.m." This was a personal injury action arising out of an automobile collision at a controlled intersection.

Prior to trial, I severed liability, largely due to concerns about Mangrum's ability to present a damages case with the requisite medical testimony. The case was tried before a jury in one day. Liability was hotly contested. The jury accepted the defendant's, Lewis Warren’s (“Warren”), recitation of facts regarding liability, specifically which of the two parties had the red light as they approached the intersection prior to the collision.

(2) Mangrum's papers lack specificity regarding the issue on appeal. He requests that the transcript of the entire proceeding be "released." Perhaps Mangrum believes that a transcript of all

proceedings is prepared as a matter of court policy or procedure. That is not the case. There is considerable expense associated with the preparation of a transcript. A civil litigant does not have an absolute right to be provided with copies of a transcript at State expense.¹ Even an appellant who is permitted to proceed *in forma pauperis* on appeal is required to make his own financial arrangements to obtain necessary transcripts.

(3) Mangrum's grounds on appeal are unknown. His motion is one paragraph which simply asks for the transcript without limitation or elaboration. He has attached to his Notice of Appeal a photocopy of a note I wrote to the jury in response to a question. The jury's note and my response are attached. To the extent Mangrum is appealing on the grounds that the note was inappropriate, he does not require a transcript. Mangrum has failed to establish sufficient and specific reasons for his need for production of the entire transcript at State expense. Therefore, his request for a transcript at the expense of the State is DENIED.

IT IS SO ORDERED.

Judge Susan C. Del Pesco

Original to Prothonotary

**xc: Mr. Virgil N. Mangrum
Nicholas E. Skiles, Esquire
Deborah L. Webb, Chief Deputy Clerk, Supr. Ct. (No. 205, 2001)
Kathleen Feldman, Chief Court Reporter
Patrick O'Hare, Official Court Reporter**

¹ *Booth v. MacKay-Bush*, 1999 WL 1319345, Del. Supr., No. 141, 1999, Holland, J. (Dec. 7, 1999) (ORDER); *Lynch v. McCarron*, 1997 Del. LEXIS 5, Del. Supr., No. 352, 1996, Hartnett, J. (Jan. 12, 1997) (ORDER).

² *See Cook v. State*, 1982 WL 204133, Del. Supr., No. 2, 1982, McNeilly, J. (Mar. 29, 1982) (ORDER).

³ *See Lynch v. McCarron*, Del. Supr., 1997 WL 33110, No. 352, 1996, Hartnett, J. (Jan. 13, 1997) (ORDER).