

1 **WO**

2

3

4

5

6

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

7

8

9

John Calvin Neuendorf, II,

)

No. CV 10-752-PHX-RCB (DKD)

10

Plaintiff,

)

ORDER

11

vs.

)

12

John C. Lincoln Medical,

)

13

14

Defendant.

)

15

16

Pending in this case is Plaintiff’s “Motion: For Transcripts of Comple[]te Record”

17

(Doc. 9), which the Court will grant in part and deny in part.

18

I. Procedural Background

19

On April 5, 2010, Plaintiff John Calvin Neuendorf, II, who is confined in the

20

Maricopa County Fourth Avenue Jail, filed a *pro se* civil rights Complaint pursuant to 42

21

U.S.C. § 1983 (Doc. 1). Plaintiff did not pay the \$350.00 civil action filing fee or file an

22

Application to Proceed *In Forma Pauperis*. By Order filed April 27, 2010 (Doc. 3), the

23

Court gave Plaintiff 30 days from the filing date of the Order to pay the fee or file a

24

completed Application to Proceed *In Forma Pauperis* and a certified six-month trust account

25

statement. On May 25, 2010, Plaintiff filed an Application to Proceed *In Forma Pauperis*

26

(Doc. 4) and an “Inmate Account Statement” (Doc. 5). By Order filed August 3, 2010

27

(Doc. 6), Plaintiff’s Application to Proceed was granted, Plaintiff was assessed an initial

28

partial filing fee, and the Complaint and this action were dismissed for failure to state a claim

1 upon which relief may be granted. Judgment was entered on August 3, 2010 (Doc. 8).

2 On October 8, 2010, Plaintiff filed a Notice of Appeal (Doc. 10) in this action.

3 **II. Pending Motion for Transcripts of Complete Record**

4 On October 5, 2010, Plaintiff filed a “Motion: For Transcripts of Comple[te Record”
5 (Doc. 9), in which Plaintiff requests that the Court send him a copy of all the cases he has
6 filed with this Court because his “paperwork has been destroyed from flooding and is no
7 longer legible.” Plaintiff alleges that his “cell was flooded from people throwing water in
8 a bucket under [his] door.” Plaintiff further alleges that his “files are ruined.”

9 In light of Plaintiff’s pending appeal in this case, Plaintiff’s Motion will be granted
10 to the extent that the Court will direct the Clerk of Court to send Plaintiff a copy of all
11 documents currently filed in this case and denied in part as to all other relief requested.

12 **IT IS ORDERED** that Plaintiff’s “Motion: For Transcripts of Comple[te Record”
13 (Doc. 9) is **granted in part** to the extent that the Clerk of Court **must send** to Plaintiff a copy
14 of all documents currently filed in this case and **denied in part** as to all other relief
15 requested.

16 DATED this 6th day of December, 2010.

17
18 
19 _____
20 Robert C. Broomfield
21 Senior United States District Judge
22
23
24
25
26
27
28