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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Michael Martin Sanders,
10 Plaintiff,

11 v.

12 Trinity Services Group Incorporated, et al.,
13 Defendants.
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No. CV-18-01471-PHX-JAT (DMF)

ORDER

15 Before the Court is Plaintiff’s Motion for Excerpts of Record (Doc. 133). Plaintiff
16 is currently incarcerated, and pursuant to 28 U.S.C. § 1915(a), the Court allowed Plaintiff
17 to proceed *in forma pauperis*. The Court granted summary judgment in favor of Defendants
18 on February 23, 2021 (Doc. 128), and the Clerk of Court entered judgment in favor of
19 Defendants and against Plaintiff (Doc. 129). Plaintiff then appealed from that judgment
20 (Doc. 130).

21 Plaintiff now requests “[p]ursuant to Ninth Circuit Rule 30-1.7” that the Court
22 provide “copies of the documents comprising the excerpts of record” in his case. (Doc. 133
23 at 1). Plaintiff’s motion does not specify what documents or portions of the record he
24 desires, nor does he indicate upon what grounds his appeal lies. (*See id.*).

25 Ninth Circuit rules do not require *pro se* appellants to submit excerpts of record, *see*
26 9th Cir. R. 30-1.3, and Plaintiff’s *in forma pauperis* status does not entitle Plaintiff to copies
27 of the record at government expense where not required by the appellate court, *see* 28
28 U.S.C. § 1915(c). *Brown v. Bd. of Prison Terms*, No. CIVS061581LKKCMKP, 2007 WL

1 628665, at *1 (E.D. Cal. Feb. 28, 2007). Further, while prisoners appealing without counsel
2 are entitled to a district court’s provision of excerpts of the record, *see* 9th Cir. R. 30-1.7,
3 excerpts of the record do not encompass the entire record in a case, *see* 9th Cir. R. 30-1.4.
4 Excerpts of the record include “all decisions being appealed, reviewed, or collaterally
5 challenged,” and “all other parts, but only those parts, of the record that are relevant to
6 deciding the appeal.” 9th Cir. R. 30-1.4(b)–(c).

7 Here, Plaintiff’s motion has given no indication of the grounds for his appeal or
8 what parts of the record he will need to support his appeal. (*See* Doc. 133). Upon examining
9 the record, Plaintiff states he is challenging “the orders of 10/7/20 [Doc. 107], 11/2/20
10 [Doc. 109], 1/26/21 [Doc. 124], 2/16/21 [Doc. 127] . . . and from the final judgment entered
11 in this action on 2/23/21 (Docs. 128, 129).” (Doc. 130). There is no indication in the record,
12 however, of what grounds Plaintiff is appealing upon or what other portions of the record
13 are relevant to Plaintiff’s appeal.

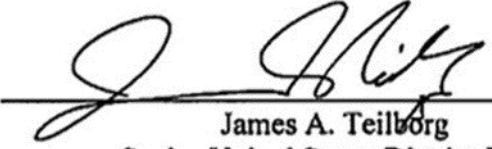
14 Thus, the Court will deny Plaintiff’s motion without prejudice so that Plaintiff may
15 file a motion that clearly states what orders he is challenging and what specific portions of
16 the record, along with Doc. numbers, are relevant to deciding the appeal. Plaintiff must
17 also state why the documents he requests are relevant to his appeal, as the excerpts of record
18 may only include relevant portions of the record. *See* 9th Cir. R. 30-1.4.

19 Accordingly,

20 **IT IS ORDERED** that Plaintiff’s Motion for Excerpts of Record (Doc. 133) is
21 **DENIED** without prejudice.

22 Dated this 28th day of June, 2021.

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James A. Teilborg
Senior United States District Judge