

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MICHAEL HUDSON,
Plaintiff,
v.
BRIAN, et al.,
Defendants.

Case No. 1:08-cv-00249-AWI-JLT (PC)
**ORDER GRANTING PLAINTIFF'S
MOTIONS FOR PORTIONS OF THE
TRANSCRIPT OF THE TRIAL IN THIS
MATTER AT HIS EXPENSE**
(Docs. 103, 104)

Plaintiff, Michael Hudson, is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. This matter was presented for a jury trial on January, 31, 2012, February 1, 2012, and February 2, 2012. (Docs. 79-81.) On February 3, 2012, the jury returned a verdict in favor of Defendants in this action. (Doc. 85.) On February 9, 2012, Plaintiff filed an appeal. (Doc. 87.) Along with this, on March 8, 2012 Plaintiff filed a motion requesting a copy of the trial transcripts at the government's expense which was denied based upon his failure to demonstrate the issues he intended to raise on appeal were not frivolous. (Doc. 95, 96.) Plaintiff's appeal was dismissed and closed. (Docs. 100-102.)

On October 3, 2013 and November 1, 2013, Plaintiff filed motions seeking portions of the trial transcripts at his own expense. (Docs. 103, 104.) Specifically, Plaintiff seeks a copy of the trial transcript of the testimony of Correctional Counselor II, Dina Tarnoff, given on February 2, 2012. (*Id.*)

While Plaintiff is not entitled to copies of the trial transcripts at the government's expense,

1 he may secure copies by paying for them himself. Ms. Tarnoff's testimony is contained in 11
2 pages. The cost for 30-day turnaround is \$40.15. If Plaintiff still desires a copy of Ms. Tarnoff's
3 testimony, he must obtain a money order made payable to "Gail Thomas" in the amount of \$40.15
4 and send it to: Gail Thomas, U.S. Court Reporter, 2500 Tulare Street, Suite 1501, Fresno, CA
5 93721. Plaintiff must indicate on the money order that it is "for the testimony of Tarnoff, heard on
6 Feb. 1, 2012."

7 Accordingly, IT IS HEREBY ORDERED that Plaintiff's motions for portions of the
8 transcript of the trial in this matter at his expense, filed October 3, 2013 (Doc. 103) and November
9 1, 2013 (Doc. 104), are GRANTED. To obtain a copy of the testimony of Ms. Tarnoff, Plaintiff
10 must submit a money order as indicated in this order within thirty (30) days of the date this order
11 issues. Once such a money order is received, the court reporter is directed to prepare the transcript
12 and forward it to Plaintiff.

13
14 IT IS SO ORDERED.

15 Dated: November 19, 2013

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE

16
17
18
19
20
21
22
23
24
25
26
27
28