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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

SUSAN MAE POLK,	)	Case No.: 1:12-cv-01156-DAD-BAM (PC)
Plaintiff,	)	ORDER GRANTING IN PART REQUEST FOR
v.	)	COPY OF RECORD ON APPEAL PURSUANT TO
MARY LATTIMORE, et al.,	)	NINTH CIRCUIT RULE 30-3
Defendants.	)	(ECF No. 96)
	)	
	)	
	)	

Plaintiff Susan Mae Polk is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. On February 21, 2017, the district judge issued an order dismissing this action, (ECF No. 87), and judgment was entered accordingly the same day, (ECF No. 88). On April 19, 2017, Plaintiff filed a notice of appeal on extension, (ECF No. 92), which was processed by the Ninth Circuit Court of Appeals, (ECF No. 93.)

Currently before the Court is Plaintiff’s request for copy of record for appeal, filed on June 1, 2017. (ECF No. 96.) Plaintiff states that pursuant to Ninth Circuit Rule 30-3, she requests a copy of the record, which she understands to be “all documents filed and/or lodged with the court in this case,” so that she can prepare her opening brief. (*Id.* at 2.)

Ninth Circuit Rule 30-3, concerning prisoner appeals without representation by counsel, provides as follows:

In cases involving appeals by prisoners not represented by counsel, the clerk of the district court shall, within 21 days from the receipt of the prisoner’s written request, forward to the prisoner copies of the documents to comprise the excerpts of record.

1 9th Cir. R. 30-3. The required contents of the excerpts of record are described in Ninth Circuit Rule  
2 30-1, and include the notice of appeal, trial court docket sheet, judgment or interlocutory order  
3 appealed from, any opinion, findings of fact or conclusions of law relating to the judgment or order  
4 appealed from, and certain other excerpts. See 9th Cir. R. 30-1.4.

5 Plaintiff's request, to the extent she seeks all documents filed or lodged with the court in this  
6 case, is denied. Plaintiff is not entitled to a free copy of every document filed or lodged in this case  
7 pursuant to Ninth Circuit Rule 30-3.

8 However, Plaintiff's request will be granted to the extent authorized by Ninth Circuit Rule 30-  
9 3, such that she will be forwarded copies of the documents to comprise the excerpts of record as set  
10 forth in Ninth Circuit Rule 30-1.

11 Accordingly, it is HEREBY ORDERED that:

12 1. Plaintiff's request for copy of record on appeal, filed June 1, 2017, is GRANTED IN  
13 PART; and

14 2. The Clerk of the Court is directed to forward to Plaintiff copies of the documents to  
15 comprise the excerpts of record as set forth in Ninth Circuit Rule 30-1, in accordance with Ninth  
16 Circuit Rule 30-3.

17  
18 IT IS SO ORDERED.

19 Dated: June 5, 2017

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE