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8	UNITED STATES DISTRICT COURT			
9	EASTERN DISTRICT OF CALIFORNIA			
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11	SCOTT HERD,)	Case No.: 1:12-cv-01674-AWI-BAM (PC)	
12	Plaintiff,)	ORDER DENYING PLAINTIFF'S MOTION FOR	
13	V.)	ORDER OF RECORD ON APPEAL (ECF No. 33)	
14	JAMES D. HARTLEY, et al.,)		
15	Defendants.)		
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17	On December 11, 2014, Plaintiff Scott Herd, a state prisoner who was proceeding pro se and in			
18	forma pauperis in this civil rights action, filed a motion that appears to seek transmittal of the record to			
19	the Ninth Circuit Court of Appeals. Fed. R. App. P. 10(a).			
20	Pursuant to the Ninth Circuit Rules, Plaintiff, as a pro se litigant, is not required to file an			
21	excerpt of the record. Circuit Rule 30-1.2. Further, to the extent Plaintiff is attempting to order a			
22	transcript, this request is unnecessary. Fed. R. App. P. 10(b)(1). No proceedings in this action were			
23	transcribed. Plaintiff's motion is therefore DENIED. ¹			
24	IT IS SO ORDERED.			
25	Dated: December 16, 2014		/s/Barbara A. McAuliffe	
26			UNITED STATES MAGISTRATE JUDGE	
27				
28	Plaintiff is not prevented from requesting copies of the excerpts of record pursuant to Ninth Circuit Rule 30-3.			
	I Plaintiff is not prevented from requesting copies of the	ne ex	cerpts of record pursuant to Ninth Circuit Rule 30-3.	

cerpts of record pursuant to Windi Circuit Rule 30