

1 Anderson, 924 F.2d 1500, 1511-12 (9th Cir. 1991), overruled on other grounds by
2 Helling v. McKinney, 502 U.S. 903 (1991). Two statutes must be considered whenever
3 the District Court receives a request to prepare transcripts at the government's expense.
4 First, 28 U.S.C. § 1915(c) defines the limited circumstances under which the Court can
5 direct the government to pay for transcripts for a litigant proceeding in forma pauperis:

6 Upon the filing of an affidavit in accordance with subsections
7 (a) and (b) and the prepayment of any partial filing fee as
8 may be required under subsection (b), the court may direct
9 payment by the United States of the expenses of (1) printing
10 the record on appeal in any civil or criminal case, if such
11 printing is required by the appellate court; (2) preparing a
12 transcript of proceedings before a United States magistrate
13 judge in any civil or criminal case, if such transcript is
14 required by the district court, in the case of proceedings
15 conducted under section 636(b) of this title or under section
16 3401(b) of title 18, United States Code; and (3) printing the
17 record on appeal if such printing is required by the appellate
18 court, in the case of proceedings conducted pursuant to
19 section 636(c) of this title. Such expenses shall be paid when
20 authorized by the Director of the Administrative Office of the
21 United States Courts.

22 28 U.S.C. § 1915(c).

23 Second, 28 U.S.C. § 753(f) allows the Court to order the government to pay for
24 transcripts only if “the trial judge or a circuit judge certifies that the appeal is not frivolous
25 (but presents a substantial question).” 28 U.S.C. § 753(f); Henderson v. United States,
26 734 F.2d 483, 484 (9th Cir. 1984). A “substantial question” under § 753(f) is “one which
27 is ‘reasonably debatable’ based on an objective standard.” United States v. Frost, 344 F.
28 Supp. 2d 206, 208 n.1 (D. Me. 2004) (citation omitted). “In addition, the requested trial
transcript must be ‘required for proper appellate review.’” Id.

 Here, neither Plaintiff's notice of appeal nor his motion for transcripts reveals the
grounds for his appeal or the issues he contests. Accordingly, the Court has no basis
from which to conclude that the appeal presents a substantial question or that the
transcripts are necessary for proper appellate review. See id. (transcript denied where

1 indigent party failed to specify grounds for appeal); Hudson v. Brian, No. 1:08-cv-
2 00249-AWI-JLT, 2012 WL 1019909, at *2 (E.D. Cal. Mar. 26, 2012) (same).

3 Based on the foregoing, Plaintiff's motion for transcript at government expense
4 (ECF No. 146) is HEREBY DENIED without prejudice.

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6 IT IS SO ORDERED.

7 Dated: June 20, 2016

1st Michael J. Seng
8 UNITED STATES MAGISTRATE JUDGE

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