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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

MONICO J. QUIROGA, III,  
Plaintiff,  
v.  
TIMOTHY KING, et al.  
Defendants.

CASE NO. 1:15-cv-01697-AWI-MJS (PC)  
**ORDER DENYING PLAINTIFF'S MOTION  
FOR TRANSCRIPTS AND EXCERPTS OF  
RECORD**  
**(ECF No. 46)**

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights action brought pursuant to 42 U.S.C. § 1983. The action was dismissed with prejudice for failure to state a claim, and Plaintiff appealed. (ECF Nos. 38 & 42.) Before the Court is Plaintiff's March 13, 2017 motion for transcripts and excerpts of record. (ECF No. 46.)

No hearings were conducted in this case. There are no transcripts to be produced. Plaintiff's request for transcripts will be denied on that basis.

In passing, the Court advises Plaintiff that Ninth Circuit rules do not require pro se appellants to submit excerpts of record. Ninth Circuit Rule 17-1.2(a). Furthermore, Plaintiff's in forma pauperis status does not entitle plaintiff to copies of the record at

1 government expense where not required by the appellate court. See 28 U.S.C. §  
2 1915(c). Accordingly, this request will be denied on that ground as well..

3 Based on the foregoing, Plaintiff's motion for transcripts and excerpts of record is  
4 HEREBY DENIED.

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6 IT IS SO ORDERED.

7 Dated: April 14, 2017

1st Michael J. Seng  
UNITED STATES MAGISTRATE JUDGE

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