

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 A. RISENHOOVER,
Plaintiff,
v.
SALINAS VALLEY STATE PRISON, et
al.,
Defendants.

Case No. 1:18-cv-00432-AWI-BAM (PC)
Appeal No. 18-16171
**ORDER GRANTING MOTION FOR
TRANSCRIPTS AT GOVERNMENT
EXEPNSE AND DESIGNATION OF
RECORD ON APPEAL**
(ECF No. 26)
**ORDER DIRECTING CLERK OF COURT TO
MAIL COPIES OF EXCERPTS OF RECORD
ON APPEAL TO PLAINTIFF BY **JULY 26,
2018****

Plaintiff Michael A. Risenhoover, (“Plaintiff”), a state prisoner proceeding *pro se* and *in forma pauperis*, filed this civil rights action pursuant to 42 U.S.C. § 1983. On June 11, 2018, the Court dismissed this action, without prejudice, for failure to exhaust administrative remedies prior to filing suit. (ECF Nos. 19, 20.) On June 21, 2018, Plaintiff filed a notice of appeal. (ECF No. 21.)

Currently before the Court is Plaintiff’s “Motion for Transcripts at Government Expense and Designation of Record on Appeal,” filed July 5, 2018.¹ (ECF No. 26.) Pursuant to Ninth

¹ To the extent Plaintiff seeks transmittal of the record to the Ninth Circuit Court of Appeals, Plaintiff, as a *pro se* litigant, is not required to file an excerpt of the record. Circuit Rule 30-1.2.

1 Circuit Rule 30-3, Plaintiff requests “all transcripts, motions or other records relevant to this
2 case,” as those records are necessary for preparing his opening brief. Plaintiff appears to seek
3 copies of the entire record of this action.

4 Although Plaintiff has not specified which documents he wishes copied, given the relative
5 brevity of the docket, the Court finds it appropriate to grant Plaintiff’s request in full. Plaintiff
6 will be provided with copies of all documents filed and orders issued, up to the judgment entered
7 in this action. To the extent Plaintiff requests copies of transcripts, this request is unnecessary.
8 Fed. R. App. P. 10(b)(1). No proceedings in this action were transcribed.

9 Accordingly, IT IS HEREBY ORDERED that Plaintiff’s motion for transcripts at
10 government expense and designation of record on appeal, (ECF No. 26) is GRANTED. The
11 Clerk of the Court is DIRECTED to mail copies of ECF Nos. 1–20 to Plaintiff at his current
12 address of record by **July 26, 2018**.

13
14 IT IS SO ORDERED.

15 Dated: July 10, 2018

/s/ Barbara A. McAuliffe
16 UNITED STATES MAGISTRATE JUDGE

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