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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CLARENCE A. GIPBSIN,

No. 2:07-cv-0157 MCE EFB P

Plaintiff,

vs.

ORDER

SCOTT KERNAN, et al.,

Defendants.

_____ /

Plaintiff, who proceeds in forma pauperis on appeal, seeks a copy of the trial transcript at the government’s expense. Transcript fees shall “be paid by the United States if the trial judge or a circuit judge certifies that the appeal is not frivolous (but presents a substantial question).” 28 U.S.C. § 753(f); 28 U.S.C. § 1915(c); McKinney v. Anderson, 924 F.2d 1500, 1511 (9th Cir. 1991). Plaintiff fails to show that his appeal presents a substantial question or that he is otherwise entitled to a transcript at the government’s expense.

Accordingly, IT IS HEREBY ORDERED that plaintiff’s request for a copy of the trial transcript at the government’s expense is GRANTED.

Dated: December 20, 2012

MORRISON C. ENGLAND, JR., CHIEF JUDGE
UNITED STATES DISTRICT JUDGE