

United States District Court
For the Northern District of California

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

IN RE BEXTRA AND CELEBREX
MARKETING, SALES PRACTICES AND
PRODUCT LIABILITY LITIGATION,

No. MDL 05-01699 CRB

**ORDER DENYING MOTION FOR
TRANSCRIPTS AT GOVERNMENT
EXPENSE**

This document relates to:

Larry B. Moore, 10-4275, 10-1516,
10-4825

Pro per Plaintiff Larry B. Moore has filed a motion seeking transcripts and various court filings at government expense. See *dk*. 105. To the extent that Plaintiff believes that his *in forma pauperis* status entitles him to free copies of transcripts, that is incorrect. See *Bonner v. Henderson*, 517 F.2d 135, 136 (5th Cir. 1975). Although a litigant proceeding *in forma pauperis* might be entitled to an order providing him free transcripts if a notice of appeal is filed, such order is proper only if a court certifies that the appeal is “not frivolous” and that the transcript is needed to decide the issue presented by the appeal. See 28 U.S.C. § 753(f). The Ninth Circuit Court of Appeals recently concluded that Plaintiff’s appeal is frivolous. See *dk*. 104 (“we find that these consolidated appeals are frivolous.”).

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1 Accordingly, Plaintiff's motion is DENIED.

2 **IT IS SO ORDERED.**

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4 Dated: February 16, 2012



CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE

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