Adams v. Kraft et al Doc. 263

United States District Court
For the Northern District of California

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

BERRY LYNN ADAMS, Plaintiff, v. DANIEL L. KRAFT, PHILLIP HAUCK, and K.P. BEST, Defendants.	Case No.: 10-CV-00602-LHK ORDER DENYING REQUEST FOR TRANSCRIPT AT THE EXPENSE OF THE UNITED STATES GOVERNMENT

On May 14, 2012, following a four-day jury trial, a jury returned a verdict against Plaintiff Berry Lynn Adams, which Plaintiff subsequently appealed to the United States Court of Appeals for the Ninth Circuit. See ECF Nos. 254, 260. Plaintiff then filed a request with the Court for a transcript at the expense of the United States Government. ECF No. 262.

Pursuant to Budget Object Code 2532, a district court may only grant fees for transcripts to be paid by the United States in an appeal to a circuit court if "the trial judge . . . certifies that the suit or appeal is not frivolous, and [the] transcript is needed to decide the issue presented by suit or appeal." See Guide to Judicial Policy, Vol. 6, Ch. 5 Transcripts, § 530.75(b)(1). The Court does not find that Plaintiff has satisfied these requirements. Accordingly, Plaintiff's Motion-Request for Transcript at the Expense of the United States Government is DENIED.

IT IS SO ORDERED.

Dated: November 30, 2012

Lucy H. Koh

LUCY H. KOH
United States District Judge

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