

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

KEVEN LEE CARTER,

Plaintiff,

v.

ILLINOIS DEPARTMENT OF CORRECTIONS, et al.,

Defendants.

Case No.06-cv-450-DRH

ORDER

HERNDON, Chief Judge:

Before the Court is Plaintiff's Motion to Prepare Record on Appeal (Doc. 95), in which he seeks that the record be prepared and forwarded to the Seventh Circuit to support his arguments regarding his appeal of the judgment in this case. The Court finds part of Plaintiff's request to be moot, as it already will prepare the record of the documents he is authorized to include (*see* Doc. 91). Plaintiff further seeks the trial transcripts to be included as part of the Record on Appeal. Such a request is premature. Plaintiff must first obtain authorization approval to obtain a copy of the trial transcript as it has yet to be transcribed. Plaintiff has filed the requisite Seventh Circuit Transcript Information Sheet (Doc. 96) to request a copy of the trial transcript. However, Plaintiff must pay the requisite fee. Plaintiff contends, in his Motion, that he does not have the financial means to do so and because he was previously granted In Forma Pauperis ("IFP") status in this case, he

should be able to obtain said transcripts free of charge. Being granted IFP status for district court proceedings simply means that Plaintiff does not have to pay the Court's filing fees to open a case and file his Complaint. It does not, however, entitle him to further items free of charge, such as copies and transcripts, especially when those items are necessary for his *appeal*. Plaintiff has not yet moved for nor has he been granted leave to appeal IFP and therefore, his request for transcripts at this time is **DENIED**. Accordingly, the Court in part **FINDS AS MOOT** and in part **DENIES** Plaintiff's Motion to Prepare Record on Appeal (Doc. 95).

IT IS SO ORDERED.

Signed this 2nd day of February, 2010.

/s/ David Herndon

**Chief Judge
United States District Court**