

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

SHAMBRIA NECOLE SMITH

CIVIL ACTION

VERSUS

No. 16-16597

KANSA TECHNOLOGY, L.L.C.

SECTION I

ORDER & REASONS

Before the Court is defendant Kansa Technology, L.L.C.'s ("Kansa") motion¹ to tax certain costs already awarded to it by the United States Court of Appeals for the Fifth Circuit. On May 1, 2019, the Fifth Circuit issued a *per curiam* opinion affirming this Court's orders denying plaintiff Shambria Necole Smith's ("Smith") motion for leave to interview jurors and her motion for relief under Federal Rule of Civil Procedure 60(b). The Fifth Circuit's judgment provides that Smith pay to Kansa the costs on appeal.

Pursuant to Federal Rule of Appellate Procedure 39(e), certain costs on appeal are taxable to the district court for the benefit of the party entitled to such costs, which include the costs of obtaining a trial transcript, if it was necessary to determining the appeal. According to Kansa, the transcript was necessary, as it cited to the transcript multiple times in its brief in support of its position on appeal.

¹ R. Doc. No. 137.

Accordingly,

IT IS ORDERED that the motion is **GRANTED** and that Kansa Technology, L.L.C. shall be awarded costs in the amount of \$2,127.95.

New Orleans, Louisiana, May 14, 2019.

A handwritten signature in black ink, appearing to read "Lance Africk", written over a horizontal line.

LANCE M. AFRICK
UNITED STATES DISTRICT JUDGE