

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

SUGAR RAY LEWIS (#110697)

VERSUS

CIVIL ACTION

BURL CAIN, ET AL

NUMBER 07-279-JJB-SCR

RULING ON MOTION FOR COPY OF TRIAL TRANSCRIPT

This matter is before the court on the plaintiff's second motion for a copy of a trial transcript. Record document number 68.

Plaintiff filed a motion seeking a transcript of the trial proceedings held on June 16-17, 2009, at no cost.

Although the plaintiff was granted in forma pauperis status in the district court pursuant to 28 U.S.C. § 1915, he is not entitled to a trial transcript without cost.

Section 1915 does not contain any provision which permits the United States to pay for the expenses of preparing a trial transcript upon the request of a party proceeding in forma pauperis either in the district court or on appeal.

On July 17, 2009, the plaintiff submitted a transcript order form. On August 17, 2009, the Clerk of Court advised the plaintiff that the estimated cost of the transcript is \$1,131.50. Once the plaintiff arranges for the payment of its cost, the transcript will be prepared.


Plaintiff also sought a copy of the Federal Rules of Appellate

USCA

Procedure. Plaintiff may visit the prison law library or consult with an inmate counsel substitute for assistance related to his appeal. Plaintiff is not entitled to a copy of the Federal Rules of Appellate Procedure provided by the court.

Accordingly, the plaintiff's motion for a copy of the trial transcript without prepayment of costs and a copy of the Federal Rules of Appellate Procedure is denied.

Baton Rouge, Louisiana, September 3, 2009.



STEPHEN C. RIEDLINGER
UNITED STATES MAGISTRATE JUDGE