

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

ROBERT GOGUEN,)
)
 Plaintiff,)
)
 v.) 1:12-cv-00048-JCN
)
 JENNIFER GILBLAIR, et al.,)
)
 Defendants)

ORDER ON PLAINTIFF’S MOTION FOR COURT DOCUMENTS

Following a jury verdict, on October 13, 2015, the Court entered judgment in favor of Defendants on Plaintiff’s complaint. (ECF No. 133.) On October 23, Plaintiff, proceeding pro se, filed a notice of appeal to the First Circuit. (ECF No. 134.) Upon Plaintiff’s motion, the Court subsequently granted Plaintiff leave to proceed in forma pauperis on the appeal. (ECF No. 137.)

The matter is before the Court on Plaintiff’s Motion for Court Documents. (ECF No. 143.) Through the motion, Plaintiff requests transcripts, at the government’s expense, of certain proceedings, including the trial.

Plaintiff’s request is governed by 28 U.S.C. § 753(f), which provides in pertinent part:

Fees for transcripts furnished in other proceedings [such as civil rights proceedings] to persons permitted to appeal in forma pauperis shall also be paid by the United States if the trial judge or a circuit judge certifies that the appeal is not frivolous (but presents a substantial question).

Plaintiff has not identified in his motion or in his notice of appeal the issues he intends to raise on appeal. The Court cannot, therefore, determine whether the appeal is “not frivolous (but presents a substantial question).” *Shabazz v. Cole*, 69 F. Supp. 2d 210, 227 (D. Mass. 1999). Accordingly, Plaintiff’s motion is denied without prejudice to Plaintiff’s ability to renew his request with

sufficient information for the Court to determine whether Plaintiff is entitled under 28 U.S.C. § 753(f) to the transcripts he seeks at government expense.

/s/ John C. Nivison
U.S. Magistrate Judge

Dated this 29th day of December, 2015.