

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

**BOBBY HERRON**

**PETITIONER**

**v.**

**No. 1:07CV251-P-D**

**STATE OF MISSISSIPPI, ET AL.**

**RESPONDENTS**

**ORDER DENYING PETITIONER'S MOTIONS [19], [20]  
FOR A COPY OF THE COURT FILE AT GOVERNMENT EXPENSE**

This matter comes before the court on the *pro se* petitioner's motions [19], [10] requesting that copies of the court record in this case be provided to him at government expense. This case was dismissed on May 8, 2009. Herron has not appealed this case – and filed the present motions in July and August of 2010. Although he has not appealed this case, and the time to do so has expired, it appears that Herron wishes to use the documents he seeks for an appeal.

Herron is proceeding *in forma pauperis*, thus 28 U.S.C. § 1915 governs the court's treatment of the instant motion. Subsection (b) of § 1915 provides that the court may direct the United States to bear the cost of transcribing the record in appeals under § 636(c) "if such printing is required by the appellate court . . . ." Since the court of appeals has not informed the court, to date, that it requires a transcript, the court the plaintiff's motion is **DENIED**.

**SO ORDERED**, this the 17<sup>th</sup> day of February, 2011.

/s/ W. Allen Pepper, Jr.  
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W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE