

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

JANICE VINSON MATTHEWS,

Plaintiff,

VS.

PATRICK R. DONAHOE, Postmaster
General,

Defendant.

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CIVIL ACTION NO. H-14-1825

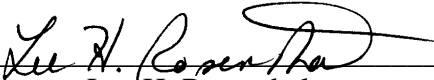
ORDER

The plaintiff, Janice Vinson Mathews, has moved to obtain, without payment, the transcript requested on November 7, 2014, (Docket Entry Nos. 33). Matthews has not cited a basis permitting her to obtain transcripts at no charge, absent an appeal. *See Johnson v. Watkins*, No. 3:07CV621 DPJ-FKB, 2011 WL 358023, at *2 (S.D. Miss. Feb. 1, 2011); *see also Toliver v. Cmty. Action Com'n to Help the Econ., Inc., CACHE*, 613 F.Supp. 1070, 1072 (S.D.N.Y. 1985) (denying *in forma pauperis*, pro se Title VII plaintiff's request for a trial transcript at public expense and noting "the absence of any statutory authority to provide a transcript to plaintiff prior to an appeal of the case") (citing 28 U.S.C. § 753(f) (allowing for payment of transcripts for litigants on appeal *in forma pauperis*); *Romero Barcelo v. Brown*, 655 F.2d 458, 462 (1st Cir. 1981) ("The district court's refusal to authorize payment for the transcripts by the United States, if such a refusal has in fact occurred, was by no means beyond its power; indeed, the court appears rather clearly to lack power to direct such a payment in the absence of an appeal."); *McClure v. Salvation Army*, 51 F.R.D. 215, 216 (N.D. Ga. 1971) (denying *in forma pauperis*, pro se Title VII plaintiff's request for hearing transcript without charge and noting "there appears to be an abundance of authority that a copy of a transcript

in a civil action is not to be furnished at government expense”). And the record discloses no reason she needs the transcript of an initial pretrial and scheduling conference in order to pursue her case.

Matthews’s motion to proceed *in forma pauperis* for her transfer request, (Docket Entry No. 33), is denied.

SIGNED on December 12, 2014, at Houston, Texas.



Lee H. Rosenthal
United States District Judge