

1 HONORABLE RONALD B. LEIGHTON  
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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT TACOMA

9 JESUS RAMIREZ-LUCIO,

10 Petitioner,

11 v.

12 UNITED STATES OF AMERICA,

13 Respondent.

CASE NO. 13-5118 RBL

ORDER DENYING MOTION FOR  
COURT RECORD  
[DKT. #7]

14 THIS MATTER is before the Court on petitioner's Motion for a Copy of the Court  
15 Record from his case, *USA v. Ramirez-Lucio et al.*, Case No. 11-5295 RBL. [Dkt. #7]. Petitioner  
16 argues that he needs a copy of the court record in order to file his amended 28 U.S.C § 2255  
17 motion claiming ineffective assistance of counsel. *Id.* Because prisoners asserting a § 2255  
18 claim do not have an absolute right to a free court record, the Motion is DENIED.

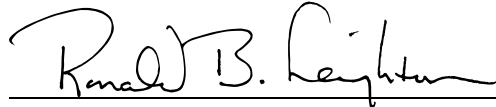
19 These documents are available through the Clerk's office for a fee. In the event that Mr.  
20 Ramirez is unable to pay a fee, he may be able to avoid the usual costs of copying transcripts  
21 pursuant to 28 U.S.C. § 735(f) upon the requisite showing. "The district court has the power to  
22 order a free transcript furnished if it finds that the 'suit ... is not frivolous and that the transcript  
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1 is needed to decide the issue presented ....” 28 U.S.C. § 753(f); *U.S. v. MacCollom*, 426 U.S.  
2 317 (1976).

3 Petitioner’s Motion [Dkt. #7] is **DENIED**.

4 IT IS SO ORDERED.

5 Dated this 2<sup>nd</sup> day of August, 2013.

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8 RONALD B. LEIGHTON  
9 UNITED STATES DISTRICT JUDGE  
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