

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

PARISH GOLDEN,

Plaintiff,

v.

RICHARD RAEMISCH, CATHY JESS,
RICHARD PHILLIPS, C.O. II M. ROHR
and SUSAN WALLINTIN,

Defendants.

ORDER

09-cv-442-bbc

Judgment was entered in this case on August 11, 2010 granting defendants' motion for summary judgment and closing this case. Plaintiff filed a request for permission to file a late notice of appeal, which he sent to the Court of Appeals for the Seventh Circuit. That court sent the request to this court for docketing and asked for a short record. The clerk doing the docketing treated the request as a notice of appeal and sent a short record to the appellate court. After reviewing the pleading, I am not sure that it should have been treated as a notice of appeal. It appears, instead, to be a motion to file a late notice of appeal under Fed. R. App. P. 4(a).

Rule 4(a)(1)(A) requires a notice of appeal in a civil case to be filed within 30 days

after the judgment or order appealed from is entered. The 30-day time period can be extended for good cause, but only if the party seeking to appeal requests an extension no later than 30 days after the time for filing an appeal has expired. Fed. R. App. P. 4(a)(5). Plaintiff did not file his request to file a late notice of appeal until more than a year after the expiration of the time for filing an appeal. In these circumstances, plaintiff's motion must be denied.

One additional matter requires comment. Plaintiff has asked that the district court send him a free copy of the entire record of this case. That request will be denied, because the court does not provide free copies of documents to litigants, even those who are proceeding in forma pauperis. If plaintiff would like copies of pleadings from the case file, he will have to pay for the copies at the indigent rate of \$.10 per page.

ORDER

IT IS ORDERED that plaintiff Parrish Golden's motion for an enlargement of time to file a notice of appeal and his request for free copies of the documents filed in this case, dkt. #47 are DENIED.

Entered this 15th day of December, 2011.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge