

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

UNITED STATES OF AMERICA,

Plaintiff,

ORDER

09-cr-147-bbc

v.

CHRISTOPHER TIBBS,

Defendant.

Defendant Christopher Tibbs has filed a request for a copy of the entire record and transcripts in his case. Attached to this order is a copy of defendant's docket sheet which he can review and indicate by docket number what documents he would like copied. He may submit his request to the clerk of court who will inform him of the total for copying charges at the indigent rate of \$.10 a page.

As to defendant's requests for a copy of all his transcripts, I construe the request as a motion for preparation of the transcripts at government expense, pursuant to 28 U.S.C. §753(f), which provides in relevant part:

Fees for transcripts furnished in proceedings brought under section 2255 of this title to persons permitted to sue or appeal in forma pauperis shall be paid

by the United States . . . if the trial judge or a circuit judge certifies that the suit or appeal is not frivolous and that the transcript is needed to decide the issue presented by the suit or appeal.

Defendant has not said what aspect of his conviction he wishes to challenge or explained how the transcripts are necessary to decide the issue. Without information as to why defendant needs the transcripts, I cannot certify either that his motion would not be frivolous or that the transcripts are necessary. Therefore, his request for preparation of the transcripts at government expense will be denied without prejudice. He may renew the motion at any time, explaining exactly why he needs the transcripts to support his motion.

ORDER

IT IS ORDERED that defendant Christopher Tibbs's motion for preparation of a transcripts at government expense pursuant to 28 U.S.C. §753(f) is DENIED without prejudice.

Entered this 11th day of June, 2013.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge