

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

GREGORY PHILLIPS,

Defendant.

ORDER

03-CR-40-C

Defendant has written to the court requesting that he be provided a copy of his sentencing transcript at government expense or at his expense. In support of his request, he states that he will be bringing a motion for vacation of his sentence pursuant to 28 U.S.C. § 2255 on the ground of ineffective assistance of counsel . It is defendant's belief that his lawyer failed to provide him an adequate defense and harassed him with coercive remarks about the time he faced in prison.

From my review of the assertions made by defendant, I see no reason why he needs a copy of his transcript. All of his contentions are directed at events that would have taken place outside the courtroom. For example, his contentions that his lawyer failed to provide a defense strategy and made coercive remarks about the amount of time he faced in prison

turn on what happened in meetings between defendant and his counsel and not on any colloquy in the courtroom. Therefore, there is no apparent need for the defendant to have transcripts of his court proceedings prepared at government expense pursuant to 28 U.S.C. 753(f). If defendant wishes, he may still obtain a copy of the transcript of the sentencing at his own expense by writing directly to the Court Reporters Office, United States District Court, 120 N. Henry Street, Madison, WI, 53703, (608) 255-3821.

ORDER

IT IS ORDERED that defendant's request for preparation of the sentencing transcript at government expense is DENIED.

Entered this 17th day of May, 2004.

BY THE COURT:

BARBARA B. CRABB
District Judge