

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANDRE R. LASIEUR,

Defendant.

ORDER

05-CR-0039-C

Defendant has written to the court requesting a copy of his sentencing transcripts in 03-CR-109-C and 05-CR-0039-C at government expense. Defendant states that he wishes to use these transcripts because he is “reviewing my case for litigation.” I construe his letter 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 type of litigation he is considering or explained how the transcripts and documents are necessary to decide the issue. Without this information, I cannot certify either that his motion would not be frivolous or that the transcripts and

documents are necessary. Therefore, his request for preparation of the transcripts at government expense will be denied without prejudice.

If defendant wishes, he may obtain a copy of the transcripts 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 motion for preparation of transcripts and documents at government expense pursuant to 28 U.S.C. §753(f) is DENIED without prejudice.

Entered this 9th day of March, 2006.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge