

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANDRE SIMMONS,

Defendant.

ORDER

09-cr-122-bbc

Defendant Andre Simmons has written to ask the court to provide him copies of the transcripts of his trial and sentencing hearing and for copies of all trial exhibits, at government expense. He has not said why he wants these materials. It does not appear that he has any need for them while his case is on appeal to the Court of Appeals for the Seventh Circuit and there is no reason to think that the court of appeals does not have any of the materials it needs to reach a decision on his appeal.

It would be premature for defendant to be filing a post conviction motion under 28 U.S.C. § 2255. If his appeal is denied and he wants to file a motion for post conviction relief at that time, he may renew his request for copies of any materials he thinks he needs to complete his filing.

ORDER

IT IS ORDERED that defendant Andre Simmons's request for copies of transcripts and trial exhibits at government expense is DENIED without prejudice for defendant's failure to show that the transcripts are needed at this time for any proceeding.

Entered this 11th day of July, 2011.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge