

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

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DARRIN A. GRUENBERG,

Plaintiff,

v.

DUSTIN KINGSLAND and  
STEVEN MUELLER,

Defendants.

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ORDER

11-cv-574-slc

Plaintiff Darrin Gruenberg is proceeding *in forma pauperis* on his appeal in this case. Now before the court is plaintiff's motion for preparation of the trial transcripts, held on January 22, 2013. *See* *dk.* 94. Under 28 U.S.C. § 753(f), a party proceeding *in forma pauperis* is entitled to a free transcript only after the party files an appeal and the court determines that the appeal "is not frivolous (but presents a substantial question)." In granting plaintiff leave to proceed *in forma pauperis* on his appeal, I have already concluded that the appeal is not taken in bad faith.

Therefore, it is ORDERED that plaintiff Darrin Gruenberg's motion for the preparation of transcripts at the government's expense, *dk.* 94, is GRANTED. A transcript of the January 22, 2013 final pretrial conference, jury selection and trial shall be prepared and furnished to plaintiff, with the fees to be paid by the United States, pursuant to 28 U.S.C. §753(f).

Entered this 4<sup>th</sup> day of March, 2013.

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge