

In the United States District Court
For the Middle District of North Carolina



Brian David Hill,
Defendant

v.

United States of America,
Plaintiff

Criminal Action No. 1:13-CR-435-1

DEFENDANT’S REQUEST FOR TRANSCRIPT

Pursuant to “Title 28 U.S. Code § 753. Reporters”, paragraph (f), Criminal Defendant Brian David Hill ("Brian D. Hill"), ("Defendant", “Brian”, or “Hill”), by and through Brian David Hill who is acting Pro Se in this action before this Honorable Court in the Middle District of North Carolina, and hereby respectfully requests that this Court through the Court Reporter furnish original Transcript of the following proceedings/hearings for Appeal purposes:

1. **Proceeding listed under Document #186:** Minute Entry for proceedings held before CHIEF JUDGE THOMAS D. SCHROEDER in WS-2:FINAL HEARING RE REVOCATION OF SUPERVISED RELEASE as to BRIAN DAVID HILL held on 9/12/2019. AUSA Anand Ramaswamy present for the Government. Attorney Renorda Pryor present for the Defendant. Defendant present on bond. Defendant moves for a continuance. Government opposes the motion. Court DENIES motion. Defendant denies violation 1 of 157 Petition. Matter is contested (see Witness and Exhibit List) The Court finds the defendant in violation and Supervised Release is revoked. The defendant is REMANDED to the Bureau of Prisons for 9 months, followed by 9 years of Supervised Release (see Judgment and Commitment).

Defendant permitted to self-report directly to the institution designated by the BOP or to the USMS in Greensboro, NC by 12:00 PM on 12/6/2019. Defendant's Release Conditions modified to include GPS location monitoring to begin within 7 days and a curfew at the probation officer's discretion.(Court Reporter Briana Bell.) (Engle, Anita) (Entered: 09/12/2019)

Appeal was timely filed and proof of such appeal is under Document #191 "Electronic Transmission of Notice of Appeal and Docket Sheet as to BRIAN DAVID HILL to US Court of Appeals re: 187 Notice of Appeal – Interlocutory and 190 Notice of Appeal Without Fee Payment. (Daniel, J) (Entered: 09/13/2019)"; #190 "PRO SE NOTICE OF APPEAL without payment of fees by BRIAN DAVID HILL. (Attachments: # 1 Envelope – Front and Back)(Engle, Anita) (Entered: 09/12/2019)"; and #187 "PRO SE NOTICE OF APPEAL (Interlocutory) by BRIAN DAVID HILL re 183 Order on Motion to Continue. (Attachments: # 1 Envelope – Front and Back)(Engle, Anita) (Entered: 09/12/2019)".

Brian is entitled to the Transcript of this hearing to prepare for the prosecuting of the Appeal.

Defendant also requests that the Court Reporter transmit the Transcript of such hearing to the Clerk of the Court to file on the docket in this case as part of the Record on Appeal ("ROA"). Transcript must be on the record for appeal as of right and as of due process. Transcript must be part of the record for appeal.

Analysis of statute 28 U.S. Code § 753(f):"Each reporter may charge and collect fees for transcripts requested by the parties, including the United States, at rates prescribed by the court subject to the approval of the Judicial Conference. He shall not charge a fee for any copy of a transcript delivered to the clerk for the

records of court. Fees for transcripts furnished in criminal proceedings to persons proceeding under the Criminal Justice Act (18 U.S.C. 3006A), or in habeas corpus proceedings to persons allowed to sue, defend, or appeal in forma pauperis, shall be paid by the United States out of moneys appropriated for those purposes. 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 out of money appropriated for that purpose 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. Fees for transcripts furnished in other proceedings to persons permitted to appeal in forma pauperis shall also be paid by the United States if the trial judge or a circuit judge certifies that the appeal is not frivolous (but presents a substantial question). The reporter may require any party requesting a transcript to prepay the estimated fee in advance except as to transcripts that are to be paid for by the United States.”

Attached to this “Request for Transcript” is a proposed CJA 24 Voucher filed by Brian David Hill. Because the Defendant has a limited amount of time (unless the stay of judgment is granted) and limited number of days to battle his appeal before having to turn himself into a federal prison. The Defendant will not be able to prepare any briefs or be able to defend himself while in a BOP facility and will not be able to have access to his legal evidence either. Defendant requests that the transcript be produced within 14 days. Defendant would like to quickly receive the Transcript under the Criminal Justice Act under 18 U.S. Code § 3006A, and is proceeding in forma pauperis under 28 U.S. Code § 1915. Proving innocence in Federal prison is almost impossible as the **Department of Justice is CORRUPT.**

An indigent criminal Defendant's right to transcript at government expense is outlined in cases such as Mayer v. City of Chicago, 404 U.S. 189 (1971), and Britt

v. North Carolina, 404 U.S. 226 (1971). There may be more cases supportive of Defendant's right to transcripts at government expense to prosecute appeal.

Respectfully filed with the Court, this the 21st day of September, 2019.

Respectfully submitted,

Brian D. Hill

Signed

Signed

Brian D. Hill (Pro Se)

310 Forest Street, Apartment 1

Martinsville, Virginia 24112

Phone #: (276) 790-3505

U.S.W.G.O.

Former U.S.W.G.O. Alternative News reporter

I stand with QANON/Donald-Trump – Drain the Swamp

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CERTIFICATE OF SERVICE

Defendant hereby certifies that on September 21, 2019, service was made by mailing the original of the foregoing:

“DEFENDANT’S REQUEST FOR TRANSCRIPT”

by deposit in the United States Post Office, in an envelope, Postage prepaid, on September 21, 2019 addressed to the Clerk of the Court in the U.S. District Court, for the Middle District of North Carolina, 324 West Market Street, Suite 1, Greensboro, NC 27401. Brian has also asked his mother Roberta Hill to email a copy of this “DEFENDANT’S REQUEST FOR TRANSCRIPT” + Proposed CJA

24 Voucher "AUTHORIZATION AND VOUCHER FOR PAYMENT OF TRANSCRIPT" to Court Reporter Briana Bell.

It is under Certified Mail tracking number 7017 2680 0000 5750 9146

Then pursuant to 28 U.S.C. §1915(d), Defendant requests that the Clerk of the Court move to electronically file the foregoing using the CM/ECF system which will send notification of such filing to the following parties to be served in this action:

Anand Prakash Ramaswamy U.S. Attorney Office Civil Case # 1:17 -cv-1036 101 South Edgeworth Street, 4th Floor, Greensboro, NC 27401 Anand.Ramaswamy@usdoj.gov	Angela Hewlett Miller U.S. Attorney Office Civil Case # 1: 17 -cv-1036 101 South Edgeworth Street, 4th Floor, Greensboro, NC 27401 angela.miller@usdoj.gov
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This is pursuant to Defendant's "In forma Pauperis" ("IFP") status, 28 U.S.C. §1915(d) that "The officers of the court shall issue and serve all process, and perform all duties in such cases ... "the Clerk shall serve process via CM/ECF to serve process with all parties.

Date of signing: <u>September 20, 2019</u>	Respectfully submitted, <u>Brian D. Hill</u> <i>Signed</i> Signed Brian D. Hill (Pro Se) 310 Forest Street, Apartment 1 Martinsville, Virginia 24112 Phone #: (276) 790-3505 U.S.W.G.O. I stand with QANON/Donald-Trump – Drain the Swamp Make America Great Again
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