

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>CRIMINAL ACTION</b>
	)	
<b>v.</b>	)	<b>No. 13-20011-01-KHV</b>
	)	
<b>BRETT J. WILLIAMSON,</b>	)	
	)	
<b>Defendant.</b>	)	
_____	)	

**MEMORANDUM AND ORDER**

On May 28, 2015, the Court sentenced defendant to life in prison. On June 18, 2015, defendant filed a pro se notice of appeal. This matter is before the Court on defendant's Motion For Access To The Courts (Doc. #188) and defendant's Motion For Transcripts (Doc. #189), both filed August 10, 2015.

**I. Motion For Access To The Courts (Doc. #188)**

Defendant asks the Court to order USP-Tucson officials to allow him at least two hours per day of access to the prison law library. Robin Fowler entered an appearance as stand-by counsel for defendant on appeal. Recently, the Tenth Circuit granted Fowler's motion to withdraw and appointed the Federal Public Defender for the District of Kansas to represent defendant. See Order (Doc. #194) filed September 2, 2015. In his motion to withdraw, Fowler noted that although defendant initially wanted to represent himself on appeal, he now wants appointed counsel. See United States v. Williamson, No. 15-3147 (10th Cir.), Counsel For Appellant's Motion To Withdraw As Attorney filed August 31, 2015 at 2. In light of the appointment of counsel for defendant, the Court overrules as moot defendant's pro se motion (Doc. #188) which seeks additional access to the prison law library at USP-Tucson.

## **II. Motion For Transcripts (Doc. #189)**

Defendant seeks a copy of a transcript of “every proceeding” including all grand jury proceedings. Motion For Transcripts (Doc. #189) at 1. In his capacity as stand-by counsel, Fowler has already requested and obtained various transcripts and Fowler states that he intends to work with new counsel to obtain all documents that are appropriate and necessary for an appeal. See United States v. Williamson, No. 15-3147 (10th Cir.), Counsel For Appellant’s Motion To Withdraw As Attorney filed August 31, 2015 at 6. In addition, in light of the appointment of new counsel, defendant can seek copies of any necessary transcripts through counsel. Based on his pro se motion filed before counsel was appointed, defendant has not shown a particularized need for additional transcripts.<sup>1</sup> Accordingly, the Court overrules defendant’s pro se motion for transcripts.

**IT IS THEREFORE ORDERED** that defendant’s Motion For Access To The Courts (Doc. #188) filed August 10, 2015 be and hereby is **OVERRULED**.

**IT IS FURTHER ORDERED** that defendant’s Motion For Transcripts (Doc. #189) filed August 10, 2015 be and hereby is **OVERRULED**.

The Clerk is directed to forward a copy of this Memorandum And Order to the Tenth Circuit Court of Appeals.

Dated this 3rd day of September, 2015 at Kansas City, Kansas.

s/ Kathryn H. Vratil  
KATHRYN H. VRATIL  
United States District Judge

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<sup>1</sup> See 28 U.S.C. § 2250 (United States shall furnish without cost to indigent prisoner such documents as judge may require); 28 U.S.C. § 753 (fees for transcripts paid by United States if judge certifies that suit or appeal is not frivolous and that transcript is needed to decide issue presented); United States v. Sistrunk, 992 F.2d 258, 260 (10th Cir. 1993) (under 28 U.S.C. § 753(f), indigent defendant entitled to free copy of transcript on showing of particularized need).