

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

**NO. 3:75-CR-00026-3
NO. 5:06-CV-00024-F**

UNITED STATES OF AMERICA)	
)	
vs.)	MOTION FOR COPY OF
)	TRIAL TRANSCRIPT AT
)	GOVERNMENT EXPENSE
JEFFREY R. MacDONALD)	

NOW COMES the Defendant, Jeffrey R. MacDonald, through counsel, and moves this Honorable Court for a copy of the trial transcript in this case at Government expense. As grounds in support, the Defendant would show:

1. The undersigned has recently been appointed to represent the Defendant in post-conviction proceedings, and has not previously represented the Defendant;
2. It appears to the undersigned that the record in this case is voluminous;
3. In order to begin to understand this case, particularly in light of the “evidence as a whole” standard”, the undersigned needs to review the original trial transcript as all issues necessarily flow from it; and

4. The Defendant has been found to be an indigent, and the requested transcript is necessary to his representation.

Respectfully submitted this the 6th day of December, 2011.

/s/ Sue Berry

Sue Genrich Berry, Attorney for Defendant
Bowen and Berry, PLLC
PO Box 2693, Wilmington, NC 28402
910.763.3770
NC State Bar #16308

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing and proposed Order was served upon:

John Bruce
Assistant United States Attorney
Suite 800, Federal Building
310 New Bern Avenue
Raleigh, NC 27601-1461

by CM/ECF notification.

This the 6th day of December, 2011.

/s/ Sue Berry

Sue Genrich Berry
Attorney for Defendant/Petitioner
Bowen and Berry, PLLC
PO Box 2693, Wilmington, NC 28402
910.763.3770
N.C. State Bar Number 16308