

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

UNITED STATES OF AMERICA,

v.

CASE NO. 8:17-CR-35-T-17MAP

ANGEL LUIS PIZARRO.

\_\_\_\_\_ /

ORDER

This cause is before the Court on:

Dkt. 55      Construed Motion Requesting Sentencing Transcripts

Defendant Angel Luis Pizarro, pro se, seeks a paper copy of Defendant's sentencing transcript in connection with Defendant's request for relief under 28 U.S.C. Sec. 2255.

Defendant Pizarro entered a plea of guilty to Count One of the Indictment, without a plea agreement. (Dkt. 19). Defendant Pizarro was sentenced on August 18, 2017. (Dkts. 32, 35). A Notice of Appeal was filed, and counsel has appeared on behalf of Defendant Pizarro. (Dkts. 40, 42).

At the present time, Defendant Pizarro has not filed a Sec. 2255 Motion. Any request for a free transcript pursuant to 28 U.S.C. Sec. 753(f) is premature prior to the filing of a section 2255 complaint. See United States v. MacCollom, 426 U.S. 317 (1976).

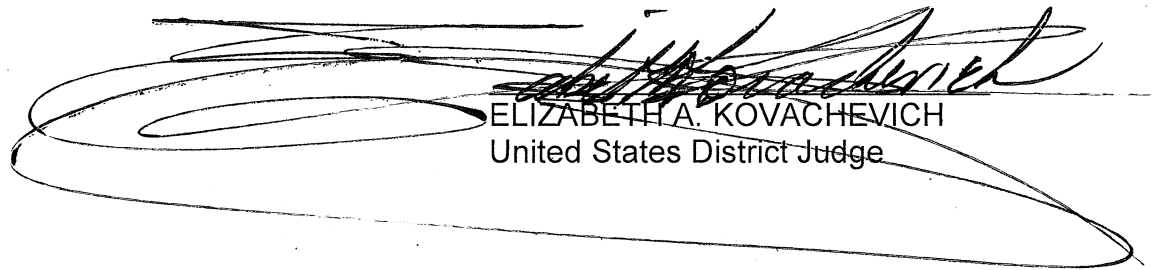
Defendant Pizarro's appeal remains pending, and counsel was appointed for Defendant Pizarro as to the appeal. Defendant Pizarro could direct his request to Defendant's counsel.

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After consideration, the Court denies Defendant Pizarro's Construed Motion Requesting Sentencing Transcripts without prejudice. Accordingly, it is

**ORDERED** that pro se Defendant Angel Luis Pizarro's Construed Motion Requesting Sentencing Transcripts (Dkt. 55) is **denied without prejudice**.

**DONE and ORDERED** in Chambers in Tampa, Florida on this, 5<sup>th</sup> day of November, 2018.



ELIZABETH A. KOVACHEVICH  
United States District Judge

Copies to:

All parties and counsel of record

Pro Se Defendant:

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