

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
MARTINSBURG**

**UNITED STATES OF AMERICA,**

Plaintiff,

v.

**Crim. Action No. 3:96-CR-1  
(BAILEY)**

**RICKY VINCENT PENDLETON,**

Defendant.

**ORDER DENYING MOTION FOR GRAND JURY TESTIMONY**

On this day, the above-styled matter came before this Court for consideration of the defendant's letter dated February 25, 2013, which this Court construes as a Motion for Grand Jury Testimony and Minutes [Doc. 125], which was filed on February 27, 2013. This Court notes that the defendant has not requested any specific relief relating to this or any other action.

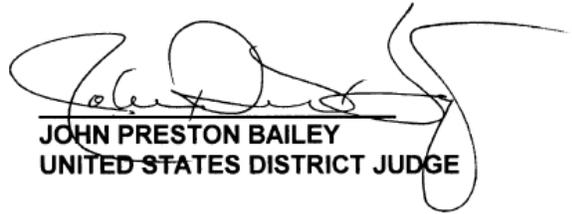
After review of the above, the defendant's Motion for Grand Jury Testimony and Minutes [Doc. 125] is **DENIED AS PREMATURE**. See 28 U.S.C. § 753(f); see also **United States v. Brown**, 36 Fed.Appx. 519 (4th Cir. 2002). As previously noted, the defendant has not indicated the type of claims, if any, he plans to present in this action, nor has he actually filed any petition for relief. Therefore, this Court is of the opinion that the defendant has not demonstrated an adequate need for his Grand Jury transcripts. As a final matter, this Court must **DENY** any request for Grand Jury minutes insofar as no such minutes are

recorded.

It is so **ORDERED**.

The Clerk is directed to transmit copies of this Order to all counsel of record and to mail a copy to the *pro se* defendant.

**DATED:** March 6, 2013.



**JOHN PRESTON BAILEY**  
**UNITED STATES DISTRICT JUDGE**