

MOTION FOR PRODUCTION OF TRIAL AND SENTENCING TRANSCRIPTS AT GOVERNMENT EXPENSE

Pursuant to 28 U.S.C. § 753(f) and the Court's Inherent Authority under 28 U.S.C. § 1651(a)

United States District Court · Middle District of Florida · Tampa Division

Francesco Giovanni Longo v. United States of America et al.

Collateral to Case No. **8:05-cr-263-T-17MSS** · Filed in parallel with the Petition for Writ of Coram Nobis (ECF to follow on receipt of the Motion for Leave to E-File)

Filed: 27 April 2026 · In forma pauperis · Self-represented

I. RELIEF REQUESTED

The Petitioner, Francesco Giovanni Longo, respectfully moves this Honorable Court, pursuant to 28 U.S.C. § 753(f) and the Court's inherent authority under 28 U.S.C. § 1651(a), for an Order directing the Clerk of Court and the Court Reporter of record to prepare, certify, and deliver to the Petitioner, **at the expense of the United States**, true and complete transcripts of the following proceedings in the above-captioned criminal matter:

#	Proceeding	Approximate Date	Notes
1	Sentencing Hearing before the Honorable Elizabeth A. Kovachevich, United States District Judge	14 February 2007	Includes all on-record statements by the Court, AUSA Mark O'Brien, and defense counsel of record.

#	Proceeding	Approximate Date	Notes
2	Change-of-Plea hearing (if separate from sentencing)	2006-2007	To establish the record of any Boykin waivers.
3	All pretrial hearings including detention and arraignment	2006-2007	To reconstruct the pretrial chronology.
4	All hearings in which defense witness Michael Bryan testified or was referenced	2006-2007	Specifically, the sequence in which a pre-convicted witness was permitted to testify without timely defense notice.
5	Any hearing in which the Vienna Convention on Consular Relations, Article 36, was referenced on the record	2006-2007	To establish by contemporaneous record that the Petitioner neither filed, signed, nor authorized any Article 36 appeal.
6	The complete docket of case 8:05-cr-263-T-17MSS , certified with all signatures	2005-2013	To establish chain-of-custody and signatory authority for every filing of record.

II. GROUNDS

1. **Indigency.** The Petitioner is indigent as of filing. An in forma pauperis application is submitted herewith. The Petitioner has been without counsel in this matter at all material times since 2005, as pleaded in the companion Certificate of Indigency and Systemic Legal-Aid Denial at § VII of the Petition for Writ of Coram Nobis.
2. **Substantial, non-frivolous collateral claim.** The Petition for Writ of Coram Nobis filed concurrently herewith (incorporated by

reference) identifies, inter alia: (i) a February 21, 2005 custody warrant issued sixty-nine days prior to the alleged April 30, 2005 offense conduct; (ii) a purported Eleventh Circuit Vienna Convention Article 36 appeal (No. 07-13206) filed in the Petitioner's name without his authorization; and (iii) an on-record sentencing statement by the presiding judge, reported as "going to make an example of" the Petitioner. These records directly bear on the merits of the coram nobis petition and cannot be reconstructed without the official transcripts.

3. **28 U.S.C. § 753(f)**. That subsection provides that transcripts shall be furnished at the expense of the United States to persons proceeding in forma pauperis "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." The within matter plainly satisfies both prongs: the petition is not frivolous on its face, and the transcripts are essential to the coram nobis determination.
4. **Continuing injury**. Each day without access to the transcripts is a day in which the Petitioner is disadvantaged in his pro se presentation of a facially non-frivolous collateral challenge to a conviction whose supporting records include the Sentencing Hearing's on-record "make an example" statement.

III. PRESERVATION AND CHAIN-OF-CUSTODY REQUEST

Pursuant to the Court's inherent authority and to Federal Rule of Criminal Procedure 57 and Local Rule 3.01, the Petitioner respectfully requests the Court to **order the preservation** of the following, regardless of the disposition of this Motion:

- The **courtroom videotape** of the 14 February 2007 sentencing hearing, in every format in which it exists (VHS, digital backup, digital re-encoding), together with the name and contact information of the videographer of record.

- The **court reporter's contemporaneous stenographic notes** for the sentencing hearing and for every proceeding listed at § I above.
- The **complete chronological docket sheet** of 8:05-cr-263-T-17MSS with all signatures preserved.

IV. CONCLUSION

WHEREFORE the Petitioner respectfully requests an Order (a) **granting** this Motion, (b) **directing** the Clerk and the Court Reporter to prepare, certify, and deliver the transcripts listed at § I above at United States expense, and (c) **directing** the preservation of the records listed at § III above.

Executed at Windsor, Ontario, Canada, on this 27th day of April, 2026.

/s/ Francesco Giovanni Longo

FRANCESCO GIOVANNI LONGO, pro se, in his own right and as Trustee,
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