

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

TREMELL ARMSTEAD,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

On Petition for Writ of Certiorari
to the United States Court of Appeals for the Fifth Circuit

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

NOW COMES Petitioner Tremell Armstead, through undersigned counsel, and moves this Honorable Court for leave to proceed *in forma pauperis* and to file the attached Petition for Writ of Certiorari without prepayment of costs, pursuant to Supreme Court Rule 39 and 18 U.S.C. § 3006A(d)(7). A United States Magistrate Judge for the Eastern District of Louisiana appointed the Federal Public Defender to represent Mr. Armstead. *See United States v. Armstead*, No. 2:10-CR-197 (E.D. La. July 19, 2010) (order) (attached hereto). On September 14, 2016, a United States District Court Judge granted leave to enroll and appointed the Federal Public Defender to represent Mr. Armstead in his sentence reduction proceedings. *See United States v. Armstead*, No. 2:10-CR-197 (E.D. La. September 14, 2016) (order) (attached hereto).

WHEREFORE, Petitioner respectfully moves this Honorable Court for leave to proceed *in forma pauperis* and to file the attached Petition for Writ of Certiorari without prepayment of costs.

Respectfully submitted this 26th day of February, 2018.

/s/ Celia Rhoads
Celia Rhoads
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Counsel of Record
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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

CR.NO. 10-197 C

VERSUS

ORDER

TREMELL ARMSTEAD

Appointing Counsel
 Substituting Counsel For:

Ratifying Prior Service
 Extending Appointment For Appeal

CHARGE: 21 USC 841(a)(1),...: VIOLATIONS OF THE FEDERAL CONTROLLED
SUBSTANCES ACT

FELONY MISDEMEANOR

The defendant, having satisfied this Court that he/she: (1) is financially unable to employ counsel, and (2) does not wish to waive counsel, and because the interests of justice so require, the Federal Public Defender named below is hereby appointed to represent this defendant in the above designated case until relieved by order of the District Court:

VIRGINIA SCHLUETER, FEDERAL PUBLIC DEFENDER, HALE BOGGS FEDERAL BLDG., RM 318, 501 MAGAZINE ST, NEW ORLEANS, LA 70130 PHONE: (504)589-2468

Federal Public Defender is appointed for the limited purpose of:

It appearing to the Court that although the defendant is financially unable to employ counsel, he/she is totally indigent.

IT IS FURTHER ORDERED that the defendant pay to the Clerk, U. S. District Court for services of counsel, the total amount of \$ _____ to be paid within 10 working days or by _____.

IT IS FURTHER ORDERED that the defendant is to pay to the Clerk, U.S. District Court, for services of counsel, \$ _____ per month. This amount is to be paid, beginning on _____, 20____ until further orders of the Court.

Dated at New Orleans, Louisiana, on JULY 19, 2010


UNITED STATES MAGISTRATE JUDGE

Copy to Financial Unit Clerk (Only if defendant is ordered to pay)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA	*	CRIMINAL DOCKET
VERSUS	*	NO. 10-197
TREMELL ARMSTEAD	*	SECTION: "G"

ORDER

Considering the foregoing,

IT IS ORDERED that the Office of the Federal Public Defender is hereby enrolled and Assistant Federal Public Defender, Gary V. Schwabe, Jr., is hereby appointed to represent the above-listed defendant to assist in the presentation and resolution of a Title 18 U.S.C. 3582(C)(2) motion for retroactive application of Amendment 782 relating to the newly reduced and retroactive federal sentencing guidelines for drug-related offenses.

New Orleans, Louisiana, this 14th day of September 2016


UNITED STATES DISTRICT JUDGE