
No.

IN THE

SUPREME COURT OF THE UNITED STATES
OCTOBER TERM, 2018

CAHLAN CLAY,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

ON PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF
APPEALS FOR THE EIGHTH CIRCUIT

MOTION FOR LEAVE TO PROCEED
IN FORMA PAUPERIS

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COMES NOW Petitioner, Cahlan Clay, by his attorney, Stephen C. Moss, Appellate Unit Chief, Federal Public Defender Office, Western District of Missouri, and moves this Court, pursuant to 28 U.S.C. §1915, 18 U.S.C. § 3006A(d)(6) and Sup. Ct. R. 39.1 and .2, for leave to file a petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit without prepayment of docket or other fees, and to proceed In Forma Pauperis. The petition accompanies this motion.

On June 28, 2015, Mr. Clay was indicted in the Western District of Missouri in Case No. 15-CR-237-RK. On August 20, 2015, the Federal Public Defender's Office was appointed to represent Mr. Clay pursuant to the Criminal Justice Act. Following Mr. Clay's conviction and sentence, he filed a notice of appeal. On appeal the Federal

Defender continued to represent Mr. Clay without payment of fees or costs or security and without filing the affidavit required by 28 U.S.C. § 1915(a), all pursuant to 18 U.S.C. § 3006A(d)(7).

Because both the United States District Court for the Western District of Missouri and the United States Court of Appeals for the Eighth Circuit permitted Mr. Clay to proceed In Forma Pauperis and appointed counsel for him, no affidavit in support of this Motion to Proceed In Forma Pauperis in this Court is required. 18 U.S.C. § 3006A(d)(7) and Sup. Ct. R. 39.1.

/s/Stephen C. Moss
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