

IN THE SUPREME COURT OF THE UNITED STATES  
October Term, 2018

HOSEA LATRON SWOPES,	)	Petition for Writ of
	)	On
Petitioner, vs.	)	Certiorari to
	)	the United
UNITED STATES OF AMERICA,	)	States Court
	)	of Appeals
Respondent.	)	for the Eighth
	)	Circuit

AFFIDAVIT OF FILING

State of Missouri ) )ss  
City of St. Louis )

Comes now Nanci H. McCarthy, being first duly sworn upon his oath,  
deposes and states:

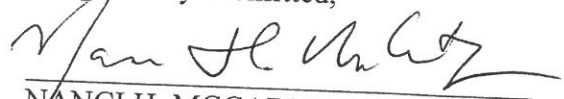
1. I am an attorney of record for Petitioner.
2. On this 27<sup>th</sup> day of August, 2018, I filed Petitioner's Petition for a Writ of Certiorari plus its Appendix, Motion to Proceed In Forma Pauperis, Entry of Appearance, Affidavit of Filing, plus this Proof of Service, with the Supreme Court of the United States by depositing an envelope containing these documents with a third-party commercial carrier for delivery within three days to:

Supreme Court of the United States  
1 First Street, N.E.  
Washington, DC 20543

Further affiant sayeth not.

Further affiant sayeth not.

Respectfully submitted,

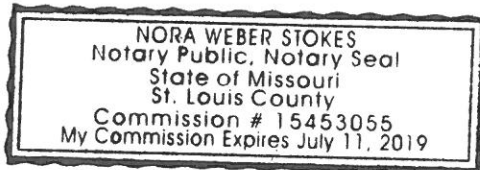


NANCI H. MCCARTHY  
Assistant Federal Public Defender  
1010 Market, Suite 200  
St. Louis, MO. 63101  
(314) 241-1255  
Fax: (314) 421-3177  
ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me this 27<sup>th</sup> day of August, 2018.

  
NOTARY PUBLIC

My commission expires:



IN THE SUPREME COURT OF THE UNITED STATES  
October Term, 2018

HOSEA LATRON SWOPES,                     )  
   )  
   )    Petitioner,                     )  
   )    On Petition for Writ of  
vs.   )    Certiorari to the United  
   )    States Court of Appeals  
   )    for the Eighth Circuit  
UNITED STATES OF AMERICA,             )  
   )    Respondent.                     )  
   )    Supreme Court Case No. \_\_\_\_\_

**PROOF OF SERVICE**

STATE OF MISSOURI    )  
   )  
CITY OF ST. LOUIS    )

The undersigned, being duly sworn and upon her oath, states as follows:

1. I am counsel of record for Petitioner;
2. On this 27<sup>th</sup> day of August, 2018, I served copies of the Petitioner's

Petition for a Writ of Certiorari plus its Appendix, Motion to Proceed In Forma Pauperis, Entry of Appearance, Affidavit of Filing, plus this Proof of Service, on each party to the above proceeding or that party's counsel, on every other person required to be served, by depositing an envelope containing copies thereof with a third-party commercial carrier for delivery within three days to:

Solicitor General Noel Francisco  
U.S. Department of Justice, Room 5614  
950 Pennsylvania Avenue, NW

Washington, DC 20530-0001  
(202) 514-2217

and by delivery a copy of those documents by hand to:

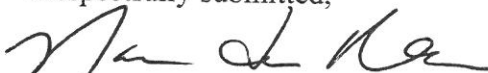
Tiffany G. Becker, Assistant United States Attorney  
For the Eastern District of Missouri  
Eagleton Federal Courthouse  
111 South Tenth Street, 20<sup>th</sup> Floor  
Saint Louis, MO 63102

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 27, 2018.

3. Further affiant sayeth not.

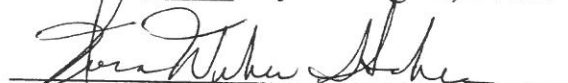
Respectfully submitted,



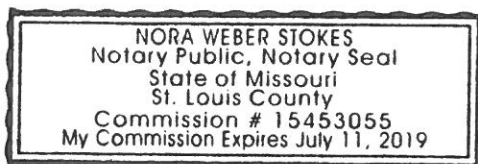
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(314) 241-1255  
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ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me on this 27<sup>th</sup> day of August, 2018.

  
NOTARY PUBLIC

My commission expires:



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October Term, 2017

HOSEA LATRON SWOPES,	)	
	)	
Petitioner,	)	On Petition for Writ of
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vs.	)	States Court of Appeals
	)	for the Eighth Circuit
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Comes now Petitioner Hosea Swopes, by court appointed counsel, Nanci H. McCarthy, Assistant Federal Public Defender for the Eastern District of Missouri and requests that the Court permit Petitioner to proceed in forma pauperis with regard to this Petition for Certiorari which is being filed on his behalf.

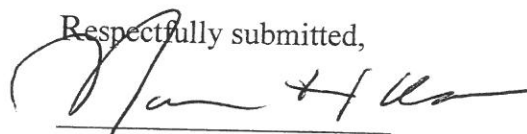
The Federal Public Defender's Office was appointed by the United States District Court for the Eastern District of Missouri to represent the Petitioner pursuant to the provisions of the Criminal Justice Act, 18 U.S.C. 3006(a) and that office was also appointed to represent the Petitioner by the United States Court of Appeals for the Eighth Circuit in proceedings before that Court. The undersigned counsel, as a member of the staff of the Federal Public Defender's Office for the Eastern District of Missouri, represented Petitioner during these proceedings.

Petitioner is presently incarcerated under a judgment committing him to

federal prison for the term of 180 months. The undersigned counsel knows of no change in circumstances which would affect the Court's earlier determination that Petitioner should be granted leave to proceed in forma pauperis.

WHEREFORE, for the above stated reasons and pursuant to Rule 39 of the Supreme Court Rules, Petitioner request that he be granted leave to proceed in forma pauperis.

Respectfully submitted,



NANCI H. MCCARTHY

Assistant Federal Public Defender

1010 Market, Suite 200

St. Louis, MO. 63101

(314) 241-1255

Fax: (314) 421-3177

ATTORNEY FOR PETITIONER

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vs.	)	States Court of Appeals
	)	for the Eighth Circuit
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

**ENTRY OF APPEARANCE**

Nanci H. McCarthy hereby enters her appearance as counsel for Petitioner  
Hosea Swopes in this action.

Respectfully submitted,

/s/Nanci H. McCarthy  
NANCI H. MCCARTHY  
Assistant Federal Public Defender  
1010 Market, Suite 200  
Saint Louis, MO 63101  
(314) 241-1255  
Facsimile: (314) 421-3177  
Email: Kevin\_Curran@fd.org

ATTORNEY FOR PETITIONER