

NO. \_\_\_\_\_

IN THE SUPREME COURT OF THE UNITED STATES

October Term, 2018

**LANCE EDWARD GLOOR**

**Petitioner,**

**v.**

**UNITED STATES OF AMERICA**

**Respondent.**

**MOTION FOR LEAVE TO PROCEED  
*IN FORMA PAUPERIS***

JONATHAN S. SOLOVY, Esq.  
LAW OFFICE OF JONATHAN S. SOLOVY, PLLC  
705 Second Avenue, Suite 1300  
Seattle, WA 98104-1705  
(206) 388-1090  
[solovylaw@earthlink.net](mailto:solovylaw@earthlink.net)

Petitioner, Lance Gloor, appearing through counsel, respectfully requests, pursuant to Rule 39 and 18 U.S.C. § 3006A(d)(6), leave to file the attached Petition for Writ of Certiorari to the United States Supreme Court of Appeals for the Ninth Circuit, without prepayment of costs, and to proceed *in forma pauperis*.

Petitioner has previously been granted leave to proceed in forma pauperis in the following courts:

1. United States v. Lance Edward Gloor, District Court No. CR13-5659-RBL, Western District of Washington.

Represented at trial by the following counsel appointed pursuant to the Criminal Justice Act of 1964:

Karen L. Unger  
332 E. 5<sup>th</sup> Street  
Port Angeles, WA 98362  
(360) 452-7688  
karenunger@juno.com

Michael Edward Schwartz (former address)  
524 Tacoma Avenue South  
Tacoma, WA 98402  
(253) 272-7161  
(Currently a judge for the Washington State, Pierce County Superior Court)

2. United States v. Lance Edward Gloor, United States Court of Appeals, Ninth Circuit No. 16-30142.

Represented on direct appeal by counsel appointed pursuant to the Criminal Justice Act of 1964:

Cynthia B Jones  
Jones Legal Group, LLC  
1200 Fifth Avenue, Suite 625  
Seattle, WA 98101  
(206) 972-4943  
jones.cynthiab@gmail.com

Petitioner's affidavit or declaration in support of this motion is attached hereto.

Petitioner has not personally paid an attorney, paralegal or other person in connection with this case. Petitioner's grandparents, William and Barbara Hartle, paid for private counsel, Jeff Kradel, to represent Lance Gloor in the sentencing proceedings. Mr. Kradel's contact information is as follows:

Jeffrey L. Kradel  
Kradel Defense PLLC  
1001 4th Avenue, Suite 4050  
Seattle, WA 98154-1000  
(206) 397-3102  
jeff@kradeldefense.com

The petitioner's mother, Tracie Gloor, is paying private counsel, Jonathan Solovy, to represent the petitioner before the United States Supreme Court.

On March 30, 2018, the Ninth Circuit denied Lance Gloor's petition for rehearing with suggestion for rehearing en banc, and the mandate issued on April 9, 2018. *See* Ninth Cir. Dkt. Nos. 46 & 47. On April 17, 2018, the Ninth Circuit granted appointed counsel, Cynthia Jones' motion to withdraw. *See* Ninth Cir. Dkt. Nos. 48 & 49. However, the Ninth Circuit order did not address whether new counsel should be appointed to consider whether there is a basis to seek a writ of certiorari.

On June 4, 2018, petitioner filed before the Ninth Circuit a pro se motion seeking the appointment of counsel. *See* Ninth Cir. Dkt. #51. The Ninth Circuit denied the motion for appointment on June 7, 2018. *See* Ninth Cir. Dkt. #52. On August 10, 2018, the district court denied petitioner's motion for the appointment of counsel for the purpose of filing a petition for writ of certiorari. *See* District Court Dkt. Nos. 315 & 316.

Petitioner, Lance Edward Gloor (Reg. No: 44270-086), is an inmate at the United States Bureau of Prisons, FCI Sheridan, in Sheridan, Oregon. Petitioner has retained private counsel,

Jonathan Solovy, to represent him before the United States Supreme Court. However, petitioner does not have funds to personally pay private counsel. Rather, he has a family member, Tracie Gloor (his mother), who is paying for private counsel. The exact sum in attorney's fees and costs to be paid to the currently retained private counsel has yet to be determined, as the matter is not yet completed. Mr. Gloor has not personally paid current counsel any funds. Mr. Gloor and his relatives are not paying for the services of anyone other than an attorney (see question 11), as no such person has been retained.

WHEREFORE, petitioner, by and through his undersigned counsel, respectfully prays that this court grant leave to proceed in the Supreme Court of the United States *in forma pauperis*.

Respectfully submitted this 28<sup>th</sup> day of August, 2018.

LAW OFFICE OF JONATHAN S. SOLOVY, PLLC

*s/ Jonathan S. Solovy*

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Jonathan S. Solovy

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U.S. Supreme Court Bar No. 196425

*Counsel for Petitioner*

**AFFIDAVIT OR DECLARATION  
IN SUPPORT OF MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

I, Lance Gloor, am the petitioner in the above-entitled case. In support of my motion to proceed *in forma pauperis*, I state that because of my poverty I am unable to pay the costs of this case or to give security therefor; and I believe I am entitled to redress.

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

<b>Income source</b>	<b>Average monthly amount during the past 12 months</b>		<b>Amount expected next month</b>	
	<b>You</b>	<b>Spouse</b>	<b>You</b>	<b>Spouse</b>
Employment	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Self-employment	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Interest and dividends	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Gifts	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Alimony	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Child Support	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Unemployment payments	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Other (specify): <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
<b>Total monthly income:</b>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.)

<b>Employer</b>	<b>Address</b>	<b>Dates of Employment</b>	<b>Gross monthly pay</b>
			\$ \$ \$

*ENCARCERATED last 2+ years*

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

<b>Employer</b>	<b>Address</b>	<b>Dates of Employment</b>	<b>Gross monthly pay</b>
			\$ \$ \$

4. How much cash do you and your spouse have? \$ 0  
Below, state any money you or your spouse have in bank accounts or in any other financial institution.

<b>Financial institution</b>	<b>Type of account</b>	<b>Amount you have</b>	<b>Amount your spouse has</b>
		\$ \$ \$	\$ \$ \$

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

Home  
Value 0

Other real estate  
Value 0

Motor Vehicle #1  
Year, make & model 0  
Value 0

Motor Vehicle #2  
Year, make & model 0  
Value 0

Other assets  
Description I own nothing  
Value 0

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

**Person owing you or your spouse money**

**Amount owed to you**

**Amount owed to your spouse**

7. State the persons who rely on you or your spouse for support.

**Name**

**Relationship**

**Age**

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, or annually to show the monthly rate.

Rent or home-mortgage payment  
(include lot rented for mobile home)

Are real estate taxes included?  Yes  No  
Is property insurance included?  Yes  No

Utilities (electricity, heating fuel,  
water, sewer, and telephone)

Home maintenance (repairs and upkeep)

Food

Clothing

Laundry and dry-cleaning

Medical and dental expenses

**You**

**Your spouse**

\$ 

\$ 

\$ 

\$ 

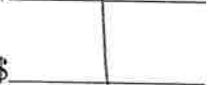
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\$ 

	<b>You</b>	<b>Your spouse</b>
Transportation (not including motor vehicle payments)	\$ <u>0</u>	\$ <u></u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0</u>	\$ <u></u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>0</u>	\$ <u></u>
Life	\$ <u>0</u>	\$ <u></u>
Health	\$ <u>0</u>	\$ <u></u>
Motor Vehicle	\$ <u>0</u>	\$ <u></u>
Other: <u>0</u>	\$ <u>0</u>	\$ <u></u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): <u>0</u>	\$ <u>0</u>	\$ <u></u>
Installment payments		
Motor Vehicle	\$ <u>0</u>	\$ <u></u>
Credit card(s)	\$ <u>0</u>	\$ <u></u>
Department store(s)	\$ <u>0</u>	\$ <u></u>
Other: <u>0</u>	\$ <u>0</u>	\$ <u></u>
Alimony, maintenance, and support paid to others	\$ <u>0</u>	\$ <u></u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0</u>	\$ <u></u>
Other (specify): <u>0</u>	\$ <u>0</u>	\$ <u></u>
<b>Total monthly expenses:</b>	\$ <u>0</u>	\$ <u></u>

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

Yes  No If yes, describe on an attached sheet.

10. Have you paid – or will you be paying – an attorney any money for services in connection with this case, including the completion of this form?  Yes  No

If yes, how much? \_\_\_\_\_

If yes, state the attorney's name, address, and telephone number:

I have personally paid no funds to an attorney, paralegal or other person in connection with this case. I was appointed CJA counsel Karen Unger. On my trial, CJA counsel Cynthia Jones. For my direct appeal, my grandparents, William & Barbara Hantle paid for private counsel, Jeff Kradel. For my sentencing, my mother, Tracie Glear, is paying private counsel, Jonathan Solovy, to represent me before the Supreme Court. Private counsel's addresses & phone numbers are listed below.

11. Have you paid—or will you be paying—anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form?

CJA counsel for trial & direct appeal

Yes  No I had private Atty for Sentencing

If yes, how much? \$10,000 A family member paid → Jeff Kradel

KRADEL defense P.L.L.C.  
1001 4th AVE Suite #4050  
Seattle, WA 98154-1000  
(206) 397-3102

If yes, state the person's name, address, and telephone number:

Jonathan Solovy PLLC.  
705 2nd AVE Suite #1300

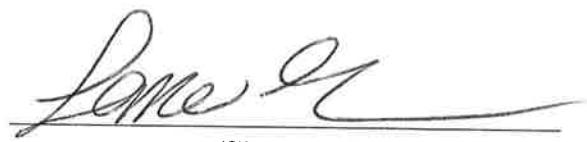
Seattle, WA 98104-1797 (206) 386-1090

12. Provide any other information that will help explain why you cannot pay the costs of this case.

I am currently in federal prison, incarcerated in Sheridan Oregon  
I have no funds and the complexity of the case, I don't understand legal work or how to proceed at this level.

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

Executed on: August 21<sup>st</sup>, 2018



(Signature)