

No.

---

---

**In the Supreme Court of the United States**

---

ARNOLD BENNETT CALDWELL, PETITIONER

v.

UNITED STATES OF AMERICA

---

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

---

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

---

Petitioner, Arnold Bennett Caldwell, by his undersigned counsel and pursuant to Supreme Court Rule 39, moves this Honorable Court for leave to proceed *in forma pauperis*. In support of his motion, Petitioner states as follows:

1. Petitioner Arnold Bennett Caldwell is filing a petition for a writ of certiorari raising the same issue that was raised in the petition for certiorari in *Gundy v. United States*, 138 S. Ct. 1260 (2018). The issue is whether Congress's delegation to the Attorney General to decide whether SORNA's registration requirements apply retroactively to persons convicted before SORNA was enacted violates the constitutional nondelegation doctrine.

2. Pursuant to 18 U.S.C. § 3006A, Sharon A. Turek, from the Office of the Federal Public Defender, Western District of Michigan, was appointed to represent Mr. Caldwell on February 24, 2017, and the Office has continued to represent Mr. Caldwell since that time.

3. The Office of the Federal Public Defender, Western District of Michigan, intends to and shall represent Mr. Caldwell in all proceedings in this Court.

WHEREFORE, Petitioner Arnold Bennett Caldwell respectfully prays this Honorable Court will grant his motion and allow him to proceed *in forma pauperis*.

Respectfully submitted,

SHARON A. TUREK  
Federal Public Defender

Dated: November 19, 2018

/s/ Sharon A. Turek  
SHARON A. TUREK  
Federal Public Defender  
Counsel of Record for Petitioner  
Western District of Michigan  
Office of the Federal Public Defender  
50 Louis, NW, Suite 300  
Grand Rapids, MI 49503  
(616) 742-7420