

Case No. _____

**IN THE
SUPREME COURT OF THE UNITED STATES**

DELMART E.J.M. VREELAND, II,

Petitioner,

v.

DAVID ZUPAN; and
THE ATTORNEY GENERAL OF THE STATE OF COLORADO,

Respondents.

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

Petitioner, Delmart E.J.M. Vreeland, by his attorney, CJA counsel Lynn C. Hartfield, pursuant to Supreme Court Rule 29, respectfully requests leave to file the accompanying Petition for Writ of Certiorari to the United States Court of Appeals for the Tenth Circuit without prepayment of costs and to proceed *in forma pauperis*. Following the issuance of the decision in his direct appeal, Petitioner was granted leave to proceed *in forma pauperis* for purposes of seeking

review *en banc* in the court of appeals, and for seeking review in this Court. Undersigned counsel was appointed pursuant to 18 U.S.C. § 3006A(a)(2), as set forth in the attached Order dated October 23, 2018.

DATED this 19th day of February, 2019

Respectfully submitted,

A handwritten signature in black ink, reading "Lynn C. Hartfield". The signature is written in a cursive, flowing style.

LYNN C. HARTFIELD
CJA Attorney for Petitioner
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FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

October 23, 2018

Elisabeth A. Shumaker
Clerk of Court

DELMART E.J.M. VREELAND, II,

Petitioner - Appellant,

v.

No. 16-1503

DAVID ZUPAN, et al.,

Respondents - Appellees.

ORDER

Before **BACHARACH, KELLY**, and **MORITZ**, Circuit Judges.

This matter is before the court on Appellant Delmart E.J.M. Vreeland, II's "Declaration of Indigency," reporting \$102.96 in current assets and requesting that the court grant the motion filed by attorney Lynn C. Hartfield. Ms. Hartfield filed an unopposed "Motion to Appoint Retained Appellate Counsel as CJA Counsel for Purposes of Petition for Rehearing and/or Petition for Writ of Certiorari."

Upon consideration, the declaration is construed as a financial affidavit, and we find that the interests of justice will be served by appointing counsel for Mr. Vreeland. *See* 18 U.S.C. § 3006A(a)(2). Accordingly, the motion to appoint retained appellate counsel as CJA counsel for purposes of petition for rehearing and/or petition for writ of certiorari is granted.

Attorney Lynn C. Hartfield is appointed as counsel pursuant to the Criminal Justice Act, 18 U.S.C. § 3006A for purposes of filing a petition for rehearing and/or petition for writ of certiorari.

Entered for the Court
ELISABETH A. SHUMAKER, Clerk

A handwritten signature in black ink, appearing to read "Lindy Lucero Schaible", written in a cursive style.

by: Lindy Lucero Schaible
Counsel to the Clerk