

EXHIBIT 1

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
SOUTHERN DIVISION
LONDON

UNITED STATES OF AMERICA,

Plaintiff,

V.

JAMES ALVIN CHANEY,

Defendant.

Criminal No. 6:14-cr-00037-GFVT-REW-1

ORDER

*** **

This matter is before the Court on Defendant James Alvin Chaney's Motion to Appoint Counsel pursuant to the Criminal Justice Act, 18 U.S.C. § 3006A. [R. 494.] Mr. Chaney moves the Court to withdraw Christy J. Love as retained counsel and appoint Christy J. Love under the Criminal Justice Act. [*Id.*] In support of his motion, Mr. Chaney filed a financial affidavit setting forth his inability to pay for retained counsel going forward. [R. 494-1.] The Court notes Ms. Love represented Mr. Chaney as retained counsel during the pretrial, trial, and sentencing phases of this case, and this post-conviction motion comes prior to the filing of Mr. Chaney's notice of appeal.

Accordingly, and the Court being otherwise sufficiently advised, it is hereby **ORDERED** as follows:

1. Defendant James Alvin Chaney is **DEEMED INDIGENT** and eligible for appointment of counsel for any future appellate proceedings;

2. Defendant James Alvin Chaney's Motion to Appoint Counsel [**R. 494**] is **DENIED** and Defendant may file a Motion to Appoint Counsel with the Sixth Circuit Court of Appeals; and
3. Counsel of record at time of sentencing is **ORDERED** to file Defendant James Alvin Chaney's Notice of Appeal with the Sixth Circuit Court of Appeals within the previously advised time schedule, should Defendant James Alvin Chaney so choose to appeal his conviction or sentence.

This the 12th day of October, 2017.

The image shows a handwritten signature in black ink, which appears to read "Gregory F. Van Tatenhove", written over a circular official seal. The seal contains the text "UNITED STATES DISTRICT COURT" at the top and "EASTERN DISTRICT OF KENTUCKY" at the bottom, with an eagle emblem in the center.

Gregory F. Van Tatenhove
United States District Judge

EXHIBIT 2

UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

Deborah S. Hunt
Clerk

100 EAST FIFTH STREET, ROOM 540
POTTER STEWART U.S. COURTHOUSE
CINCINNATI, OHIO 45202-3988

Tel. (513) 564-7000
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Filed: November 01, 2017

Ms. Christy J. Love
Law Office
333 N. Main Street
Suite B
London, KY 40741

Re: Case No. 17-6239, *USA v. James Chaney*
Originating Case No. : 6:14-cr-00037-1

Dear Counsel,

This confirms your appointment to represent the defendant in the above appeal under the Criminal Justice Act, 18 U.S.C. § 3006A.

You must file your appearance form and order transcript within 14 days of this letter. The appearance form and instructions for the transcript order process can be found on this court's website. Please note that transcript ordering in CJA-eligible cases is a two-part process, requiring that you complete both the financing of the transcript (following the district court's procedures) and ordering the transcript (following the court of appeals' docketing procedures). Additional information regarding the special requirements of financing and ordering transcripts in CJA cases can be found on this court's website at <http://www.ca6.uscourts.gov/criminal-justice-act> under "Guidelines for Transcripts in CJA Cases."

Following this letter, you will receive a notice of your appointment in the eVoucher system. That will enable you to log into the eVoucher system and track your time and expenses in that system. To receive payment for your services at the close of the case you will submit your voucher electronically via eVoucher. Instructions for using eVoucher can be found on this court's website. Your voucher must be submitted electronically no later than 45 days after the final disposition of the appeal. *No further notice will be provided that a voucher is due.* Questions regarding your voucher may be directed to the Clerk's Office at 513-564-7078.

Finally, if you become aware that your client has financial resources not previously disclosed or is no longer eligible for appointed counsel under the Criminal Justice Act, please contact the Clerk or Chief Deputy for guidance.

Sincerely yours,

s/Ken Loomis
Administrative Deputy
Direct Dial No. 513-564-7067

cc: Mr. Robert R. Carr
Mr. James Alvin Chaney
Ms. Briston S. Mitchell
Mr. Roger W. West
Mr. Charles P. Wisdom Jr.