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

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IN THE UNITED STATES SUPREME COURT

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CHARLES BORDEN, Jr.,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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**MOTION TO PROCEED *IN FORMA PAUPERIS***

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Erin P. Rust  
Assistant Federal Community Defender  
FEDERAL DEFENDER SERVICES  
OF EASTERN TENNESSEE, INC.  
835 Georgia Avenue, Suite 600  
Chattanooga, Tennessee 37402  
(423) 756-4349

Counsel for Petitioner

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**MOTION TO PROCEED *IN FORMA PAUPERIS***

Now comes Erin P. Rust, counsel for the Petitioner, Charles Borden, Jr., and moves the Court for leave to proceed *in forma pauperis*. In support thereof, the movant would show unto the Court that she and her office were appointed to represent Mr. Borden under the Criminal Justice Act, see 18 U.S.C. § 3006A(d)(6), in the district court. Leave to proceed *in forma pauperis* has not been revoked, nor has it been previously sought in this Court.

Respectfully submitted,

FEDERAL DEFENDER SERVICES  
OF EASTERN TENNESSEE, INC.

By:   
Erin P. Rust

Assistant Federal Community Defender  
835 Georgia Avenue, Suite 600  
Chattanooga, Tennessee 37402  
(423) 756-4349

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing has been served upon the Solicitor General, Department of Justice, 10th Street and Constitution Avenue, Washington, D.C., 20530, and to Luke McLaurin, Assistant United States Attorney, 800 Market Street, Knoxville, Tennessee, 37902, through third-party delivery (Federal Express). AUSA McLaurin has also been served via e-mail.

This the 24th day of July 2019.



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Erin P. Rust  
Assistant Federal Defender