

No. _____

In the Supreme Court of the United States

ROBERT RICKS,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

*On Petition for Writ of Certiorari to the
United States Court of Appeals for the Fifth Circuit*

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

The petitioner, Robert Ricks, asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Mr. Ricks has previously been found indigent and was provided appointed counsel throughout all trial and appellate proceedings in the United States District Court for the Eastern District of Louisiana and the United States Court of Appeals for the Fifth Circuit pursuant to the Criminal Justice Act, 18 U.S.C. § 3006A, *et seq.*

The district court minute entry reflecting the appointment of CJA counsel is attached to this motion. The United States Court of Appeals for the Fifth Circuit docket sheet reflecting appointment of CJA counsel is also attached to this motion.

Mr. Ricks is serving a sentence of 300 months and has been incarcerated continuously since his conviction.

This 14th day of August, 2019.

Respectfully submitted,



Avery B. Pardue

Counsel of Record

Jones Walker LLP
201 St. Charles Avenue
New Orleans, Louisiana 70170
(504) 582-8358
apardee@joneswalker.com

Counsel for Petitioner Robert Ricks

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

ROBERT RICKS — PETITIONER
(Your Name)

VS.

UNITED STATES OF AMERICA — RESPONDENT(S)

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Please check the appropriate boxes:

Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

United States District Court for the Eastern District of Louisiana; United States Court of Appeals for the Fifth Circuit

Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

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

Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

The appointment was made under the following provision of law: _____, or _____

a copy of the order of appointment is appended.


(Signature)

MINUTE ENTRY
FEBRUARY 5, 2016
SHUSHAN, M. J.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA
VERSUS
ROBERT RICKS

CRIMINAL ACTION
NO. 16-011
SECTION: J

INITIAL APPEARANCE

APPEARANCES: DEFENDANT WITH/WITHOUT COUNSEL _____
 ASSISTANT U.S. ATTORNEY DAVID HALLER - Matthew Payne for
 INTERPRETER _____

X / DEFENDANT WAS ADVISED OF HIS RIGHTS

X / READING OF THE INDICTMENT WAS:
READ WAIVED SUMMARIZED

/ DEFENDANT INFORMED THE COURT THAT COUNSEL WOULD BE RETAINED

REQUESTED COURT-APPOINTED COUNSEL; SWORN RE FINANCIAL STATUS

FEDERAL PUBLIC DEFENDER APPOINTED TO REPRESENT THE DEFENDANT

/ DEFENDANT FOUND NOT TO BE LEGALLY INDIGENT

MJSTAR: 00: 05

S

/ BAIL SET AT _____

DEFENDANT REMANDED TO THE CUSTODY OF THE U.S. MARSHAL

/ DEFENDANT RELEASED ON BOND

X/ DEFENDANT INFORMED THAT PRELIMINARY HEARING / REMOVAL HEARING /

ARRAIGNMENT IS SET FOR 2/10/16 at 2:00 pm

/ HEARING TO DETERMINE COUNSEL IS SET FOR _____

DEFENDANT INFORMED THAT DETENTION HEARING IS SET FOR

2/10/16 at 2:00 pm

DEFENDANT ORDERED TO RE-APPEAR FOR PRELIMINARY HEARING / REMOVAL

HEARING ARRAIGNMENT/DETENTION HEARING HEARING TO DETERMINE COUNSEL

WITH COUNSEL _____



General Docket
United States Court of Appeals for the Fifth Circuit

Court of Appeals Docket #: 18-30084 USA v. Robert Ricks Appeal From: Eastern District of Louisiana, New Orleans Fee Status: In Forma Pauperis	Docketed: 01/16/2018 Termed: 05/22/2019
Case Type Information: 1) Direct Criminal 2) Direct Criminal 3)	
Originating Court Information: District: 053L-2 : 2:16-CR-11-1 Court Reporter: Jodi Simcox, Court Reporter Originating Judge: Carl J. Barbier, U.S. District Judge Date Filed: 01/21/2016 Date NOA Filed: 01/12/2018	Date Rec'd COA: 01/12/2018
Prior Cases: None	
Current Cases: None	
Panel Assignment: Panel: EBC JEG ASO Date of Hearing: 03/11/2019	Date of Decision: 05/22/2019 Date Completed: 05/22/2019

UNITED STATES OF AMERICA Plaintiff - Appellee	David Earl Haller, Assistant U.S. Attorney Direct: 504-680-3000 Email: david.haller@usdoj.gov Fax: 504-680-4661 [COR LD NTC Government] U.S. Attorney's Office Eastern District of Louisiana Suite 1600 650 Poydras Street New Orleans, LA 70130
	Kevin G. Boitmann, Assistant U.S. Attorney Direct: 504-680-3000 Email: kevin.boitmann@usdoj.gov Fax: 504-589-4661 [COR NTC Government] U.S. Attorney's Office Eastern District of Louisiana Suite 1600 650 Poydras Street New Orleans, LA 70130
	Diane Hollenshead Copes, Esq., Assistant U.S. Attorney Direct: 504-680-3000 Email: diane.copes@usdoj.gov [COR NTC Government] U.S. Attorney's Office

Eastern District of Louisiana
Suite 1600
650 Poydras Street
New Orleans, LA 70130

v.

ROBERT RICKS, also known as Ra-B Ricks
Defendant - Appellant

Avery Bryce Pardee, Esq.
Direct: 504-582-8358
Email: apardee@joneswalker.com
Fax: 504-589-8358
[COR LD NTC CJA Appointment]
Jones Walker, L.L.P.
5th Floor
201 Saint Charles Avenue
New Orleans, LA 70170-5100

UNITED STATES OF AMERICA,

Plaintiff - Appellee

v.

ROBERT RICKS, also known as Ra-B Ricks,

Defendant - Appellant

01/16/2018	<input type="checkbox"/> 	DIRECT CRIMINAL CASE docketed. NOA filed by Appellant Mr. Robert Ricks [18-30084] (LEF) [Entered: 01/16/2018 08:37 AM]
01/16/2018	<input type="checkbox"/> 	1 pg, 19.7 KB CJA APPOINTMENT for Attorney Ms. Avery Bryce Pardee, Esq. for Mr. Robert Ricks. Counsel must use the eVoucher system to file the voucher at disposition of the case. Please see the attached document for further guidance.
		ORIGINATING COURT DISTRICT: ELA ORIGINATING CASE NUMBER: 2:16-CR-11-1 DEFENDANT NUMBER: 1 DATE OF APPOINTMENT: 01/12/2018 [18-30084] (LEF) [Entered: 01/16/2018 08:40 AM]
01/18/2018	<input type="checkbox"/> 	INITIAL CASE CHECK by Attorney Advisor complete, Action: Case OK to Process. [8682876-2] Initial AA Check Due satisfied.. Awaiting DC Action (J & C) due on 02/02/2018 [18-30084] (LEF) [Entered: 01/18/2018 04:23 PM]
01/23/2018	<input type="checkbox"/> 	2 pg, 90.36 KB 1 pg, 214.85 KB APPEARANCE FORM received from Ms. Avery Bryce Pardee, Esq. for Mr. Robert Ricks for the court's review. Lead Counsel? Yes. [18-30084] (Avery Bryce Pardee) [Entered: 01/23/2018 01:45 PM]
01/23/2018	<input type="checkbox"/> 	1 pg, 282.85 KB ATTORNEY TRANSCRIPT ORDER form filed by Appellant Mr. Robert Ricks for the Court to process. Date of service: 01/23/2018 via email - Attorney for Appellant: Pardee; Attorney for Appellee: Haller. [18-30084] (Avery Bryce Pardee) [Entered: 01/23/2018 01:56 PM]
01/23/2018	<input type="checkbox"/>	TRANSCRIPT ORDER received from Appellant Mr. Robert Ricks. DETAILS: Transcript Order: Court Reporter: Jodi Simcox, Proceeding Type and Date: Jury Trial 09/18/2017 - 09/19/2017. Ct. Reporter Acknowledgment due on 02/07/2018 for Jodi Simcox, Court Reporter. Electronic Filing Processed: [8685977-2] [18-30084] (SEP) [Entered: 01/24/2018 12:35 PM]
01/24/2018	<input type="checkbox"/>	APPEARANCE FORM FILED by Attorney Avery Bryce Pardee for Appellant Robert Ricks in 18-30084 [18-30084] (AGL) [Entered: 01/24/2018 10:42 AM]
01/24/2018	<input type="checkbox"/>	JUDGMENT AND COMMITMENT ORDER entered in the District Court. [18-30084] (SEP) [Entered: 01/24/2018 11:00 AM]
01/25/2018	<input type="checkbox"/> 	1 pg, 176.87 KB APPEARANCE FORM received from Mr. David Earl Haller for USA for the court's review. Lead Counsel? Yes. [18-30084] (David Earl Haller) [Entered: 01/25/2018 11:53 AM]
01/25/2018	<input type="checkbox"/> 	1 pg, 175.98 KB APPEARANCE FORM submitted for Assistant U. S. Attorney Kevin G. Boitmann for the court's review. Lead Counsel? No. [18-30084] (Kevin G. Boitmann) [Entered: 01/25/2018 12:04 PM]
01/25/2018	<input type="checkbox"/> 	1 pg, 176.42 KB APPEARANCE FORM submitted for Assistant U. S. Attorney Diane Hollenshead Copes for the court's review. Lead Counsel? No. [18-30084] (Diane Hollenshead Copes) [Entered: 01/25/2018 12:07 PM]
01/25/2018	<input type="checkbox"/> 	Attorney David Earl Haller is advised to resubmit an appearance form. Reason: The