

NO. _____

IN THE

SUPREME COURT OF THE UNITED STATES

THAM BUI, PETITIONER,

VS.

CALIFORNIA, RESPONDENT.

ON PETITION FOR WRIT OF CERTIORARI
TO THE CALIFORNIA COURT OF APPEAL
SIXTH APPELLATE DISTRICT

MOTION FOR LEAVE TO PROCEED
IN FORMA PAUPERIS

SIXTH DISTRICT APPELLATE PROGRAM

Jonathan Grossman
California State Bar #154452
95 S. Market Street, Suite 570
San Jose, CA 95113
(408) 241-6171
jonathan@sdap.org

Counsel for Petitioner,
THAM BUI

TO THE HONORABLE CHIEF JUSTICE OF THE SUPREME COURT OF THE UNITED STATES AND TO THE HONORABLE ASSOCIATE JUSTICES OF THE COURT:

Pursuant to Rule 39 of the Rules of the Supreme Court of the United States, petitioner, Tham Bui, respectfully requests leave to file a petition for writ of certiorari in forma pauperis.

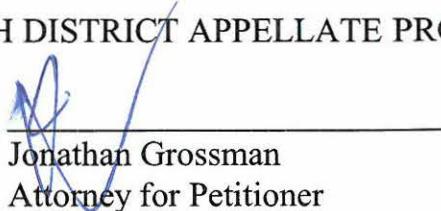
To show that petitioner was represented by appointed counsel in the court below, a declaration signed by counsel is appended, explaining the appointment process in California's Sixth Appellate District along with a copy of the notice of appeal showing that petitioner is indigent, the order appointing the Sixth District Appellate Program as counsel and the notice of association of the undersigned as counsel for petitioner.

DATED: August 27, 2019

Respectfully submitted,

SIXTH DISTRICT APPELLATE PROGRAM

By:


Jonathan Grossman
Attorney for Petitioner
Tham Bui

DECLARATION OF JONATHAN GROSSMAN

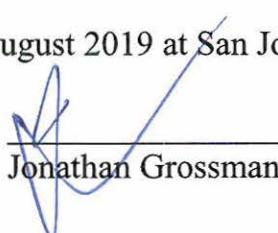
I am an attorney licensed to practice in California. I am a member of the bar of this Court. I am the attorney of record for petitioner Tham Bui.

The facts stated in this declaration are within my personal and firsthand knowledge. If called as a witness in this action, I could and would testify competently under oath to the following facts.

Petitioner filed a notice of appeal which indicated he was indigent. A copy of this notice is attached as Exhibit A. The Sixth District Appellate Program, by whom I am employed as a staff attorney, is contracted with the court to administer the appointed counsel program for indigent criminal defendants on appeal. The Sixth District Appellate Program recommended an attorney to handle the appeal. The Recommendation in this case showing that I was the attorney appointed to represent petitioner is appended to this declaration as Exhibit B. I have remained petitioner's counsel of record to this time.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 27 day of August 2019 at San Jose, California.



Jonathan Grossman

EXHIBIT A

Court of Appeal, Sixth Appellate District
Daniel P. Potter, Clerk/Administrator
Electronically RECEIVED on 3/15/2017 at 5:25:24 PM
SIXTH DISTRICT APPELLATE PROGRAM
95 S. Market Street, Suite 570
San Jose, CA 95113
(408) 241-6171

Attorneys for Appellant

Court of Appeal, Sixth Appellate District
Daniel P. Potter, Clerk/Administrator
Electronically FILED on 3/15/2017 by B. Miller, Deputy Clerk

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
SIXTH APPELLATE DISTRICT

PEOPLE OF THE STATE OF CALIFORNIA)
vs.) Case No. H044430
THAM BUI) SANTA CLARA County
) Superior Court No. C1502175

RECOMMENDATION OF COUNSEL ON APPEAL

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

Notice is hereby given that the SIXTH DISTRICT APPELLATE PROGRAM recommends and wishes to associate with the hereinafter named attorney for purposes of representing the above-named appellant.

JONATHAN GROSSMAN

March 15, 2017

Respectfully submitted:

Dallas Sacher
DALLAS SACHER
Executive Director

Attorney's Address:

JONATHAN GROSSMAN (State Bar #154452)
SIXTH DISTRICT APPELLATE PROGRAM
95 S. MARKET STREET
SUITE 570
SAN JOSE, CA 95113

Attorney's Phone:
(408) 241-6171

Appellant's Address:

THAM BUI BC1207
North Kern State Prison
P.O. Box 567
Delano, CA 93216-0567

Rev. COA 11/98