
No.

IN THE

SUPREME COURT OF THE UNITED STATES

TIMOTHY O'LAUGHLIN,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

ON PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF
APPEALS FOR THE EIGHTH CIRCUIT

MOTION FOR LEAVE TO PROCEED
IN FORMA PAUPERIS

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COMES NOW Petitioner, Timothy O'Laughlin, by his attorney, David Mercer, First Assistant Federal Public Defender, Western District of Missouri, and moves this Court, pursuant to 28 U.S.C. §1915, 18 U.S.C. § 3006A(d)(7) and Sup. Ct. R. 39.1 and .2, for leave to file a petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit without prepayment of docket or other fees, and to proceed In Forma Pauperis. The petition accompanies this motion.

United States Magistrate Judge David P. Rush appointed the Federal Public Defender's Office to represent Mr. O'Laughlin pursuant to the Criminal Justice Act on October 7, 2015. On October 7, 2015, the Government filed a petition to

determine Mr. O'Laughlin's mental status under 18 U.S.C. § 4246. On August 15, 2016, the United States District Court for the Western District of Missouri civilly committed Mr. O'Laughlin pursuant to 18 U.S.C. § 4246(d). Mr. O'Laughlin appealed his civil commitment to the Eighth Circuit Court of Appeals. On appeal, the Federal Defender continued to represent Mr. O'Laughlin without payment of fees or costs or security and without filing the affidavit required by 28 U.S.C. § 1915(a), all pursuant to 18 U.S.C. § 3006A(d)(7).

Because both the United States District Court for the Western District of Missouri and the United States Court of Appeals for the Eighth Circuit permitted Mr. O'Laughlin to proceed In Forma Pauperis and appointed counsel for him, no affidavit in support of this Motion to Proceed In Forma Pauperis in this Court is required. 18 U.S.C. § 3006A(d)(7) and Sup. Ct. R. 39.1.



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