

Case No. \_\_\_\_\_

---

IN THE

SUPREME COURT OF THE UNITED STATES

---

FRANK HARPER,  
Petitioner,

v.

UNITED STATES OF AMERICA,  
Respondent.

---

On Petition for a Writ of Certiorari to the  
United States Court of Appeals for the Sixth Circuit

MOTION TO PROCEED IN FORMA PAUPERIS

Dennis J. Clark  
Supreme Court Bar No. 130830  
Attorney for Petitioner  
Frank Harper  
Clark Law Firm PLLC  
645 Griswold, Suite 2200  
Detroit, MI 48226  
[djclarklaw@gmail.com](mailto:djclarklaw@gmail.com)  
313-962-2233

MOTION TO PROCEED IN FORMA PAUPERIS

Now comes Petitioner Frank Harper and he seeks leave to proceed in forma pauperis in this Court, more particularly as follows:

1. Petitioner Harper wishes to file a Petition for a Writ of Certiorari without prepayment of costs and to proceed in forma pauperis.
2. Petitioner has previously been granted leave to proceed in forma pauperis in both the U.S. District Court for the Eastern District of Michigan and the U.S. Court of Appeals for the Sixth Circuit and each court appointed counsel for Petitioner.
3. Undersigned Counsel was appointed by the U.S. District Court for the Eastern District of Michigan to represent Harper in his proceedings under 28 U.S.C. §2255 pursuant to the Criminal Justice Act, 18 U.S.C. §3006A et seq. (USDC ED Mich. Case No. 11-cr-20188, Order, R. 277, Page ID#4390; Text Notice of 6/8/17). The U.S. Court of Appeals for the Sixth Circuit extended the appointment of undersigned to represent Petitioner on appeal after it granted a Certificate of Appealability as to two issues. (6<sup>th</sup> Cir. No. 18-1202, Docket Entry No. 10). Accordingly, since both courts below appointed counsel for Petitioner, no affidavit of indigency is attached as it is not required pursuant to Supreme Court Rule 39.1.

WHEREFORE, Petitioner moves to proceed in forma pauperis in this Court pursuant to the Criminal Justice Act.

Respectfully submitted,

s/ Dennis J. Clark  
Dennis J. Clark  
Attorney for Petitioner  
Frank Harper

Dated: February 20, 2020