

DOCKET NUMBER: \_\_\_\_\_

---

IN THE SUPREME COURT OF THE UNITED STATES

---

KAHWAHNAS NUCUMBHI POTTS,

*Petitioner,*

v.

UNITED STATES OF AMERICA,

*Respondent.*

---

*ON PETITION FOR WRIT OF CERTIORARI TO THE  
UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT*

---

**PETITIONER'S MOTION TO PROCEED  
*IN FORMA PAUPERIS***

BLAKE P. SOMERS (0078006)  
Counsel of Record for Petitioner Potts  
Blake P. Somers LLC  
114 East 8<sup>th</sup> Street  
Cincinnati, Ohio 45202  
513.587.2892  
513.621.2525 (fax)  
513.702.1448 (cell)  
[Blake@BlakeSomers.com](mailto:Blake@BlakeSomers.com)

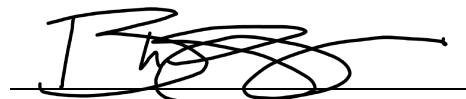
IN THE SUPREME COURT OF THE UNITED STATES

<b>KAHWAHNAS NUCUMBHI POTTS:</b>	<b>DOCKET NUMBER:</b>
:	:
<i>Petitioner,</i>	:
:	:
<b>v.</b>	:
:	:
<b>UNITED STATES OF AMERICA</b>	:
<i>Respondent.</i>	:
	<b>PETITIONER'S MOTION TO</b>
	<b><u>PROCEED IN FORMA PAUPERIS</u></b>

---

Now comes Kahwahnas Potts, Defendant/Appellant below and Petitioner herein, and respectfully moves this honorable Court for leave to proceed *in forma pauperis*. Petitioner was previously granted leave to proceed *in forma pauperis* in the Circuit Court proceedings below, wherein counsel for Mr. Potts was appointed under the Criminal Justice Act of 1964, 18 U.S.C. §3006A, and as confirmed by the attached letter appointing counsel for Mr. Potts.

Respectfully Submitted,



Blake P. Somers (0078006)  
Counsel for Petitioner Kahwahnas Potts  
BLAKE P. SOMERS llc  
114 East 8<sup>th</sup> Street  
Cincinnati, Ohio 45202  
513.587.2892  
513.621.2525 (Fax)  
513.702.1448 (cell)  
[Blake@BlakeSomers.com](mailto:Blake@BlakeSomers.com)

## CERTIFICATE OF COMPLIANCE

I hereby certify that the foregoing document was prepared using Century Schoolbook typeface, Microsoft Word, Office 365, 12 point, throughout. I further certify that the foregoing document is 3 pages in total, and that the document contains 380 words, including footnotes.



Blake P. Somers (0078006)  
Counsel for Petitioner Kahwahnas Potts

## CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was served pursuant to Supreme Court Rules 29(3), (4)(a), and (5)(b) on this 1<sup>st</sup> Day of April, 2020, via overnight FedEx delivery service, postage prepaid, upon the following persons:

Andrew Byerly Birge, Esq.  
Ronald M. Stella, Esq.  
United States Attorney's Office  
Post Office Box 208  
Grand Rapids, Michigan 49501-0208  
Counsel for Appellee / Respondent  
(616) 456-2404

-and-

Solicitor General of the United States  
Room 5616  
Department of Justice  
950 Pennsylvania Avenue, N.W.,  
Washington, DC 20530-0001  
(202) 514-2203

I further certify that an electronic copy shall be sent to the following email addresses:

[Ron.Stella@usdoj.gov](mailto:Ron.Stella@usdoj.gov)  
[SupremeCtBriefs@usdoj.gov](mailto:SupremeCtBriefs@usdoj.gov)  
[SupremeCourtBriefs@usdoj.gov](mailto:SupremeCourtBriefs@usdoj.gov)



Blake P. Somers (0078006)  
Counsel for Petitioner Kahwahnas Potts

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

Deborah S. Hunt  
Clerk

100 EAST FIFTH STREET, ROOM 540  
POTTER STEWART U.S. COURTHOUSE  
CINCINNATI, OHIO 45202-3988

Tel. (513) 564-7000  
[www.ca6.uscourts.gov](http://www.ca6.uscourts.gov)

Filed: November 26, 2018

Mr. Blake P. Somers  
Law Office  
114 E. Eighth Street  
Cincinnati, OH 45202-0000

Re: Case No. 18-1961, *USA v. Kahwahnas Potts*  
Originating Case No. : 1:18-cr-00012-1

Dear Counsel,

This confirms your appointment to represent the defendant in the above appeal under the Criminal Justice Act, 18 U.S.C. § 3006A.

You must file your appearance form and order transcript within 14 days of this letter. The appearance form and instructions for the transcript order process can be found on this court's website. Please note that transcript ordering in CJA-eligible cases is a two-part process, requiring that you complete both the financing of the transcript (following the district court's procedures) and ordering the transcript (following the court of appeals' docketing procedures). Additional information regarding the special requirements of financing and ordering transcripts in CJA cases can be found on this court's website at <http://www.ca6.uscourts.gov/criminal-justice-act> under "Guidelines for Transcripts in CJA Cases."

Following this letter, you will receive a notice of your appointment in the eVoucher system. That will enable you to log into the eVoucher system and track your time and expenses in that system. To receive payment for your services at the close of the case you will submit your voucher electronically via eVoucher. Instructions for using eVoucher can be found on this court's website. Your voucher must be submitted electronically no later than 45 days after the final disposition of the appeal. *No further notice will be provided that a voucher is due.* Questions regarding your voucher may be directed to the Clerk's Office at 513-564-7078.

Finally, if you become aware that your client has financial resources not previously disclosed or is no longer eligible for appointed counsel under the Criminal Justice Act, please contact the Clerk or Chief Deputy for guidance.

Sincerely yours,

s/Ken Loomis  
Administrative Deputy  
Direct Dial No. 513-564-7067

cc: Mr. Thomas Dorwin  
Mr. Kahwahnas Nucumbhi Potts  
Mr. Ronald Matthew Stella  
Ms. Sharday S. Swain