
No.

IN THE
SUPREME COURT OF THE UNITED STATES

HUBERT CARTER,
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

LAINE CARDARLLA
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Western District of Missouri

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Attorney for Petitioner

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COMES NOW Petitioner, Hubert Carter, by his attorney, Stephen C. Moss, 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)(6) 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 Matt J. Whitworth appointed the Federal Public Defender Office to represent Mr. Carter pursuant to the Criminal Justice Act on September 27, 2017. Mr. Carter was indicted in the United States District Court, Western District of Missouri, for felon in possession of firearm on August 8, 2017. Following Mr. Carter's, he appealed his sentence of 180 months of imprisonment. On appeal the Federal Defender continued to represent Mr. Carter

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)(6).

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. Jones 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)(6) and Sup. Ct. R. 39.1.

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