

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

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IN THE  
SUPREME COURT OF THE UNITED STATES

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DARRYL HENRY,  
*Petitioner,*

v.

UNITED STATES OF AMERICA,  
*Respondent.*

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

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**MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS**

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NOW COMES Petitioner Darryl Henry, through undersigned counsel, and moves this Honorable Court for leave to proceed *in forma pauperis* and to file the attached Petition for Writ of Certiorari without prepayment of costs, pursuant to Supreme Court Rule 39 and 18 U.S.C. § 3006A(d)(7). A United States Magistrate Judge for the Eastern District of Louisiana appointed the Federal Public Defender to represent Mr. Henry. *See United States v. Henry*, No. 2:18-CR-00193, Dkt. 8, (E.D. La. Sept. 3, 2018) (order) (attached hereto).

WHEREFORE, Petitioner respectfully moves this Honorable Court for leave to proceed *in forma pauperis* and to file the attached Petition for Writ of Certiorari without prepayment of costs.

Respectfully submitted this 29th day of June, 2020.

/s/ Samantha Kuhn

SAMANTHA J. KUHN

Assistant Federal Public Defender

*Counsel of Record*

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CR.NO. 18-114 MAG

## ORDER

## X Appointing Counsel

Substituting Counsel For:

## Ratifying Prior Service

## Extending Appointment For Appeal

**CLAUDE KELLY, FEDERAL PUBLIC DEFENDER, HALE BOGGS FEDERAL BLDG.,  
RM 318, 500 CAMP ST, NEW ORLEANS, LA 70130 PHONE: (504)589-7930**

It appearing to the Court that although the defendant is financially unable to employ counsel, he/she is totally indigent.

IT IS FURTHER ORDERED that the defendant is to pay to the Clerk, U.S. District Court, for services of counsel, \$ \_\_\_\_\_ per month. This amount is to be paid, beginning on \_\_\_\_\_, 20\_\_\_\_, until further orders of the Court.

UNITED STATES MAGISTRATE JUDGE

Copy to Financial Unit Clerk (*Only if defendant is ordered to pay*)