

No. 20-444

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IN THE  
SUPREME COURT OF THE UNITED STATES

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UNITED STATES OF AMERICA,

*Petitioner,*

v.

MICHAEL ANDREW GARY,

*Respondent.*

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

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**MOTION FOR APPOINTMENT OF COUNSEL**

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## MOTION FOR APPOINTMENT OF COUNSEL

Respondent Michael Andrew Gary hereby moves, pursuant to Supreme Court Rule 39.7, to appoint Jeffrey L. Fisher of Stanford Law School's Supreme Court Litigation Clinic as his counsel of record. In support of this motion, respondent supplies the following information:

1. This Court granted certiorari and respondent's motion to proceed *in forma pauperis* in this case on January 8, 2021.

2. Mr. Fisher is well qualified to undertake this representation. He serves as the Co-Director of Stanford Law School's Supreme Court Litigation Clinic. He has argued in this Court numerous times and has been involved in dozens of additional cases. Several of those cases have involved questions of criminal procedure, the subject of this case.

3. Mr. Fisher and Stanford Law School's Supreme Court Litigation Clinic have the resources necessary to undertake the representation. The Clinic employs three instructors (including Mr. Fisher), all of whom regularly litigate in this Court. The Clinic also has student assistance and the full resources of Stanford Law School at hand. The Clinic will serve as co-counsel with the Federal Public Defender's Office for the District of South Carolina, which represented respondent in the Fourth Circuit and during the certiorari stage in this Court, and with the law firm O'Melveny & Myers, where Mr. Fisher serves as special counsel.

4. Mr. Fisher has been a member in good standing of the Washington State Bar since 2000 and of the California Bar since 2008. He is also a member of this Court's bar.

## CONCLUSION

For the foregoing reasons, respondent respectfully requests that this Court appoint Mr. Jeffrey L. Fisher as his counsel of record in this case.

Respectfully submitted,

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Dated: January 12, 2021