

IN THE SUPREME COURT OF THE UNITED STATES

STATE OF NEBRASKA,) CASE NO. _____
 Appellee,)
)
vs.)
)
JESSICA LANG,) MOTION FOR LEAVE TO
 Appellant.) PROCEED IN FORMA PAUPERIS
)
)

COMES NOW the Appellant, Jessica Lang, and seeks leave to proceed *in forma pauperis*, pursuant to Rule 39 of the Rules of the Supreme Court of the United States. In support, the Court is shown the following:

1. Hall County District Court appointed counsel to represent Miss Lang in her appeal to the Nebraska Supreme Court in CR17-756. A copy of the Hall County District Court order and Motion To Proceed In Forma Pauperis is attached.
2. This Motion To Proceed In Forma Pauperis was done pursuant to *Neb. Rev. Stat.* 25-2301.01 *et. seq.* (Reissue 2016).

WHEREFORE the Appellant, Jessica Lang, prays the Court grant her Motion For Leave To Proceed In Forma Pauperis.

Jessica Lang, Appellant


Gerard A. Piccolo, #16023
Hall County Public Defender
117 East First Street
Grand Island, NE 68801-6022
(308) 385-5016
(308) 385-5029 Fax

IN THE DISTRICT COURT OF HALL COUNTY, NEBRASKA

STATE OF NEBRASKA,

) Case No. CR 17-756

Plaintiff,

-vs-

) AFFIDAVIT OF DEFENDANT

JESSICA J. LANG,

Defendant.

STATE OF NEBRASKA

)

)ss

COUNTY OF LANCASTER

)

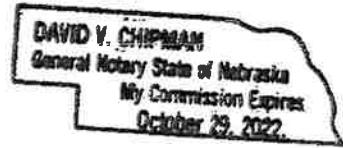
Comes now affiant, after being duly sworn, states as follows:

- 1) I am over the age of 18;
- 2) I have not held employment since 2011 when I was injured as an employee of the State of Nebraska when I was attacked by a patient at the Regional Center in Lincoln, Nebraska;
- 3) I have 2 dependents: Mackenzie Lindhurst, age 14, and Jaden Lang, age 9;
- 4) I am supposed to receive \$350 in child support;
- 5) I currently have \$0 in savings accounts;
I currently have \$0 in checking accounts;
- 6) My monthly expenditures for rent/mortgage is \$900
and my utilities are \$200 per month;
- 7) I do not own a vehicle;
- 8) I do not have any retirement accounts; IRA's; bonds or other securities;
- 9) I was awarded a workers compensation payment in February 2019, but I do not have control over such funds.
- 10) Further affiant sayeth not.

Jessie Lang
JESSICA LANG

Subscribed and sworn to me this 14th day of March, 2019.

David V. Chapman
Notary Public



IN THE DISTRICT COURT OF HALL COUNTY, NEBRASKA

STATE OF NEBRASKA,)	CASE NO. CR 17-756
Plaintiff,)	
-VS-)	MOTION TO PROCEED
JESSICA J. LANG,)	IN FORMA PAUPERIS
Defendant.)	AND REQUEST FOR APPPOINTMENT
)	OF COUNSEL

COMES NOW, the defendant in the above-captioned matter, and moves the Court to make and enter an Order authorizing an appeal herein to the Court of Appeals for the State of Nebraska in forma pauperis, without prepayment of docket fee, appeal costs, and any other incidental costs of this appeal. The defendant is unable by reason of poverty to pay the costs of the appeal and retain counsel to prosecute her appeal. Attached and incorporated by reference herein is defendant's financial affidavit.

Respectfully submitted this 14th day of March, 2019.

JESSICA J. LANG, Defendant

By: /s/Carlos A. Monzón

Carlos A. Monzón, #20453
Attorney for Defendant
1133 H Street
Lincoln, NE 68508
(402)477-8188
Fax: (402)477-8202

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 14th day of March, 2019, he served a copy of the above and foregoing via USPS and/or Electronic Service delivery, upon the following:

Gail Vermaas
Deputy Hall County Attorney
231 South Locust Street
Grand Island NE 68801

Marti Kline
Hall County Attorney
231 South Locust Street
Grand Island NE 68801

/s/Carlos A. Monzón
Carlos A. Monzón

Certificate of Service

I hereby certify that on Thursday, March 14, 2019 I provided a true and correct copy of the Affidavit-App Proceed In Forma Pauperis to the following:

State of Nebraska represented by Martin Klein (Bar Number: 22917) service method:
Electronic Service to courtnotices@hallcountyne.gov

Smith,Jerry, service method: No Service

State of Nebraska represented by Sarah Carstensen (Bar Number: 23065) service method:
Electronic Service to courtnotices@hallcountyne.gov

Fristoe,Omega, service method: No Service

Signature: /s/ Carlos A. Monzon (Bar Number: 20453)

IN THE DISTRICT COURT OF HALL COUNTY, NEBRASKA

STATE OF NEBRASKA,

) CASE NO. CR 17-756

Plaintiff,

-vs-

JESSICA J. LANG,

Defendant.

) ORDER

FILED

MAR 15 2019

VALORIE BENDIXEN
CLERK OF DISTRICT COURT

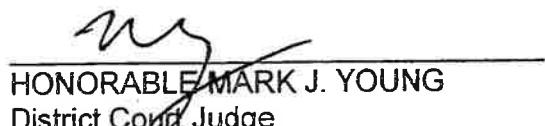
THIS MATTER having come before the undersigned Judge on the motion of the Defendant, and it appearing to the Court that the Defendant is indigent and is entitled to the relief sought by her motion.

IT IS ORDERED that the Defendant is authorized to proceed *in forma pauperis* with her appeal to the Nebraska Court of Appeals without being required to make prior payment of fees and cost of service; that any security required by law be waived; that any publication costs be paid by the County; and that the Sheriff, Clerk, or other responsible person shall issue and serve all necessary writs, process, and proceedings as well as perform any other duties without charge to the Defendant.

EE 15 7 18

DATED this 14th day of March, 2019.

BY THE COURT:


HONORABLE MARK J. YOUNG
District Court Judge



CERTIFICATE OF SERVICE

I, the undersigned, certify that on March 15, 2019 , I served a copy of the foregoing document upon the following persons at the addresses given, by mailing by United States Mail, postage prepaid, or via E-mail:

Public Defender
pubdefcourtnotices@hallcountyne.gov

Martin R Klein
courtnotices@hallcountyne.gov

Probation-Adult
pattie.yanda@nebraska.gov

Date: March 15, 2019

BY THE COURT:

Valerie Bender

CLERK

