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**No.**

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**IN THE  
SUPREME COURT OF THE UNITED STATES  
OCTOBER TERM, 2019**

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**DAVID L. SHANKS JR.  
Petitioner,  
v.  
UNITED STATES OF AMERICA,  
Respondent.**

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

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Now comes the Petitioner, DAVID L. SHANKS JR. by and through his attorney, KENT R. CARLSON, and moves this Honorable Court pursuant to Rule 39 of the Rules of Practice of the Supreme Court of the United States, for leave to proceed in forma pauperis before this Honorable Court. In support of this Motion, Petitioner states that counsel was appointed for him pursuant to the Criminal Justice Act, on February 5, 2018 by Magistrate Judge Sickel of the United States District Court for the Eastern District of Wisconsin, and again by the United States Court of Appeals for the Seventh Circuit, on January 4, 2019. A copy of the Seventh Circuit's appointment order is attached hereto. Petitioner further states that he remains in the custody of the Bureau of Prisons and remains without sufficient funds to afford counsel and/or pay costs.

Wherefore, Petitioner, DAVID L. SHANKS JR. prays this Honorable Court enter an order granting him leave to proceed *in forma pauperis*.

Respectfully submitted,

/s/KENT R. CARLSON

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# United States Court of Appeals

For the Seventh Circuit

Chicago, Illinois 60604

January 4, 2019

*By the Court:*

UNITED STATES OF AMERICA,	] Appeal from the United
Plaintiff-Appellee,	] States District Court for
	] the Eastern District of
No. 18-3628	] Wisconsin.
	]
DAVID L. SHANKS, JR.,	] No. 1:18-cr-00018-WCG-1
Defendant-Appellant.	]
	] William C. Griesbach,
	] Chief Judge.

This matter comes before the court for its consideration of attorney Edward J. Hunt's **MOTION TO WITHDRAW AS COUNSEL**, filed on December 12, 2018. Upon consideration thereof,

**IT IS ORDERED** that the Motion to Withdraw is **GRANTED**.

**IT IS FURTHER ORDERED** that attorney Kent R. Carlson, CARLSON & ASSOCIATES, 53 W. Jackson Boulevard, Chicago, IL 60604, is appointed to represent defendant-appellant David L. Shanks, Jr. pursuant to the provisions of the Criminal Justice Act. Counsel is directed to contact the defendant-appellant immediately.

Briefing shall proceed as follows:

1. Defendant-appellant shall file his brief and required short appendix on or before April 4, 2019.
2. Plaintiff-appellee shall file its brief on or before May 6, 2019.
3. Defendant-appellant shall file his reply brief, if any, on or before May 28, 2019.

Important Scheduling Notice !

Hearing notices are mailed shortly before the date of oral argument. Criminal appeals are scheduled shortly after the filing of the appellant's main brief; civil appeals are scheduled after the filing of the appellee's brief. If you foresee that you will be unavailable during a period in which your appeal might be scheduled, please write the clerk advising him of the time period and the reason for your unavailability. The court's calendar is located at <http://www.ca7.uscourts.gov/cal/argcalendar.pdf>. Once an appeal has been scheduled for oral argument, it is very difficult to have the date changed. See Cir. R. 34(e).