

NO. _____

IN THE SUPREME COURT OF THE UNITED STATES

SARINA ANN WILLIAMS,

Petitioner

vs.

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

Respectfully Submitted

/s/

J. Keith Rigg
317 Sixth Avenue, Suite 1300
Des Moines, Iowa 50309
Telephone: (515) 284-7930
Email: jkrigg@dwx.com
COUNSEL OF RECORD FOR
PETITIONER SARINA ANN WILLIAMS

In support of her Motion for Leave to Proceed in Forma Pauperis pursuant to United States Supreme Court Rule 39 and Federal Rule of Appellate Procedure 24(a)(3), Petitioner, Sarina Ann Williams, states the following:

1. Petitioner is indigent and because of her poverty is unable to pay the costs of this proceeding or give security thereof.

2. Petitioner is incarcerated as a result of her conviction in this case.

3. On April 24, 2018, Petitioner filed a financial affidavit in the United States District Court for the Southern District of Iowa in this matter. Counsel was ordered appointed for Petitioner on that date. See attached Exhibit A

4. On January 29, 2019, a motion to Proceed In Forma Pauperis was filed as to Ms. Williams in this matter. The United States District Court for the Southern District of Iowa granted the motion by text order on January 24, 2019. See attached Exhibit A.

WHEREFORE, Petitioner requests the Court grant her Motion for Leave to Proceed in Forma Pauperis.

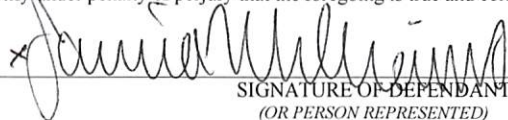
EXHIBIT A

<u>Document</u>	<u>Page</u>
Financial Affidavit – USA v. Williams	2
Order for Appointment of Counsel – USA v. Williams	3
Motion to Proceed In Forma Pauperis	4
Text Order Granting Motion to Proceed	6

CJA 23 (Rev. 11/11)	FINANCIAL AFFIDAVIT		
IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT, OR OTHER SERVICES WITHOUT PAYMENT OF FEE			
IN THE UNITED STATES <input checked="" type="checkbox"/> DISTRICT COURT <input type="checkbox"/> COURT OF APPEALS <input type="checkbox"/> OTHER (Specify below)			
IN THE CASE OF US v. Williams		FOR United States District Court AT Southern District of Iowa	LOCATION NUMBER
PERSON REPRESENTED (Show your full name) Sarina Ann Williams		1 <input checked="" type="checkbox"/> Defendant - Adult 2 <input type="checkbox"/> Defendant - Juvenile 3 <input type="checkbox"/> Appellant 4 <input type="checkbox"/> Probation Violator 5 <input type="checkbox"/> Supervised Release Violator 5 <input type="checkbox"/> Habeas Petitioner 7 <input type="checkbox"/> 2255 Petitioner 8 <input type="checkbox"/> Material Witness 9 <input type="checkbox"/> Other (Specify)	DOCKET NUMBERS Magistrate Judge District Court 4:18-cr-00053-004 Court of Appeals
CHARGE/OFFENSE (describe if applicable & check box →) 18:1594(c) 18:1591(a)(1), (a)(2), and (b)(1) 18:2421		<input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor	

ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY																	
INCOME & ASSETS	EMPLOYMENT	Are you now employed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Self-Employed Name and address of employer: <u>BUT CAN BE HIRED AT Popeye's</u> IF YES, how much do you earn per month? \$ _____ IF NO, give month and year of last employment? _____ How much did you earn per month? \$ _____															
	OTHER INCOME	If married, is your spouse employed? <input type="checkbox"/> Yes <input type="checkbox"/> No IF YES, how much does your spouse earn per month? \$ <u>N/A</u> If you are a minor under age 21, what is the approximate monthly income of your parent(s) or guardian(s)? \$ _____															
	CASH	Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No IF YES, give the amount received and identify the sources: <table style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%; text-align: center;">RECEIVED</th> <th style="width: 50%; text-align: center;">SOURCES</th> </tr> <tr> <td>\$ _____</td> <td>_____</td> </tr> <tr> <td>\$ _____</td> <td>_____</td> </tr> <tr> <td>\$ _____</td> <td>_____</td> </tr> </table>		RECEIVED	SOURCES	\$ _____	_____	\$ _____	_____	\$ _____	_____						
	RECEIVED	SOURCES															
\$ _____	_____																
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\$ _____	_____																
PROPERTY	Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No IF YES, give value and description for each: <table style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 40%; text-align: center;">VALUE</th> <th style="width: 60%; text-align: center;">DESCRIPTION</th> </tr> <tr> <td>\$ _____</td> <td>_____</td> </tr> <tr> <td>\$ _____</td> <td>_____</td> </tr> <tr> <td>\$ _____</td> <td>_____</td> </tr> </table>		VALUE	DESCRIPTION	\$ _____	_____	\$ _____	_____	\$ _____	_____							
VALUE	DESCRIPTION																
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OBLIGATIONS & DEBTS	DEPENDENTS	MARITAL STATUS <input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Widowed <input type="checkbox"/> Separated or Divorced	List persons you actually support and your relationship to them <u>NO DEPENDENTS</u>														
	DEBTS & MONTHLY BILLS (Rent, utilities, loans, charge accounts, etc.)	<table style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%; text-align: center;">DESCRIPTION</th> <th style="width: 20%; text-align: center;">TOTAL DEBT</th> <th style="width: 30%; text-align: center;">MONTHLY PAYMENT</th> </tr> <tr> <td><u>None</u></td> <td>\$ _____</td> <td>\$ _____</td> </tr> <tr> <td>_____</td> <td>\$ _____</td> <td>\$ _____</td> </tr> <tr> <td>_____</td> <td>\$ _____</td> <td>\$ _____</td> </tr> <tr> <td>_____</td> <td>\$ _____</td> <td>\$ _____</td> </tr> </table>		DESCRIPTION	TOTAL DEBT	MONTHLY PAYMENT	<u>None</u>	\$ _____	\$ _____	_____	\$ _____	\$ _____	_____	\$ _____	\$ _____	_____	\$ _____
DESCRIPTION	TOTAL DEBT	MONTHLY PAYMENT															
<u>None</u>	\$ _____	\$ _____															
_____	\$ _____	\$ _____															
_____	\$ _____	\$ _____															
_____	\$ _____	\$ _____															

I certify under penalty of perjury that the foregoing is true and correct.


 SIGNATURE OF DEFENDANT
 (OR PERSON REPRESENTED)

4/24/18
 Date

United States District Court
Southern District of Iowa

United States of America

Plaintiff,

vs.

Case No. 4:18-cr-53-JAJ-HCA

Sarina Ann Williams

Defendant.

☐

*[Check if Federal Public Defender is
appearing only for arraignment or
initial appearance]*

Order Appointing Counsel

The Court finds that the Defendant qualifies for appointment of counsel under the Criminal Justice Act, 18 USC §3006A, and the Criminal Justice Act Plan for the Southern District of Iowa. A CJA Form 23 Financial Affidavit shall be filed within five days of this Order.

It is ORDERED that Federal Defender's Office, or substitute counsel designated pursuant to the CJA Plan, is appointed to represent Defendant for all proceedings, including appeal. The Court may require Defendant to make full or partial repayment of attorney and witness fees, should it find that the Defendant has the ability to make such payment.

DATED: _____

4/24/18



JUDGE/CLERK OF COURT
UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA

UNITED STATES OF AMERICA,)	
)	No. 4:18-cr-00053
Petitioner,)	
)	
vs.)	MOTION TO PROCEED
)	IN FORMA PAUPERIS AND
SARINA ANN WILLIAMS,)	FOR APPOINTMENT OF COUNSEL
)	
Respondent.)	

COMES NOW Sarina Ann Williams, Defendant in the above-captioned case, pursuant to 28 U.S.C. § 1915(a & e) and Fed. R. App. Proc. 24(a)(3)(A), and in support of the Motion to Proceed in Forma Pauperis states as follows:

1. On this date the Defendant has filed a notice of appeal.
2. Defendant was previously found indigent in this matter on April 24, 2018 [Dkt. 78].
3. Defendant is incarcerated and is without funds to pay filing fees in this matter.
4. Appeal in this matter may be allowed pursuant to 28 U.S.C. § 1291 and Federal Rules of Appellate Procedure 3 and 4(b)(1)(A)(ii).
5. As Defendant is without funds to retain counsel, pursuant to 28 U.S.C. § 1915(a & e) and 18 U.S.C. § 3006A(c) for purposes of appeal.
6. It is requested that counsel be appointed to represent the Defendant for this appeal. The undersigned does not have any conflicts and is willing to prosecute the appeal for Ms. Williams.

WHEREFORE Defendant prays that she be allowed to proceed in forma pauperis and that

counsel be appointed.

Respectfully submitted,



J. KEITH RIGG

317 Sixth Avenue, Suite 1300

Des Moines, Iowa 50309

Telephone: (515) 284-7930

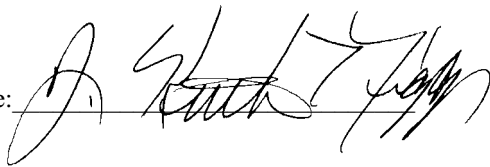
Email: jkrigg@dwx.com

ATTORNEY FOR DEFENDANT

PROOF OF SERVICE

The undersigned certifies that the foregoing instrument was served upon all parties to the above cause to each of the attorneys of record at their respective addresses disclosed on the pleadings on January 23, 2019 through electronic service via CM/ECF.

Signature:



From: cmecf_iasd@iasd.uscourts.gov
To: Courtmail@iasd.uscourts.gov
Subject: Activity in Case 4:18-cr-00053-JAJ-HCA USA v. Coleman et al Order on Motion to Proceed In Forma Pauperis
Date: Thursday, January 24, 2019 8:45:43 AM

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

*****NOTE TO PUBLIC ACCESS USERS***** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

U.S. District Court

Southern District of Iowa

Notice of Electronic Filing

The following transaction was entered on 1/24/2019 at 8:44 AM CST and filed on 1/24/2019

Case Name: USA v. Coleman et al

Case Number: [4:18-cr-00053-JAJ-HCA](#)

Filer:

Document Number: [404](#)

Docket Text:

TEXT ORDER granting [401] Motion to Appeal In Forma Pauperis as to Sarina Ann Williams (4). The Court of Appeals will appoint counsel for the defendant. Signed by Chief Judge John A. Jarvey on 1/24/2019. (mem)

4:18-cr-00053-JAJ-HCA-4 Notice has been electronically mailed to:

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Brent D Rosenberg bdr@bdriowalaw.com

4:18-cr-00053-JAJ-HCA-4 Notice has been delivered by other means to: