

IN THE SUPREME COURT OF THE UNITED STATES

MALIK TIMBERS,

Petitioner,

CASE # \_\_\_\_\_

v.

UNITED STATES OF AMERICA,

Respondent.

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

The Petitioner, MALIK TIMBERS, by and through undersigned counsel, respectfully moves the Court in accordance with Supreme Court Rule 39, to grant the Petitioner leave to proceed in *forma pauperis* to file the concurrently submitted Petition for a Writ of Certiorari without prepayment of costs. The Petitioner has previously been granted *forma pauperis* status, and a copy of the paperless order appointing the undersigned as CJA counsel is appended hereto.

Respectfully submitted,

JOFFE LAW, P.A.  
Attorney for Defendant  
110 SE 6<sup>th</sup> Street  
Suite 1700  
Fort Lauderdale, Florida 33301  
Telephone: (954) 723-0007  
Facsimile: (954) 723-0033

By /s/ David J. Joffe  
DAVID J. JOFFE, ESQUIRE  
FLORIDA BAR NO. 0814164

**CERTIFICATE OF SERVICE**

I, David J. Joffe, CJA appointed counsel for the above Petitioner, do hereby certify that a true and correct copy of this motion was duly served on the United States by placing same in the U.S. Mail, addressed to: SOLICITOR GENERAL OF THE UNITED STATES, Room 5614, Department of Justice, 950 Pennsylvania Avenue, N.W., Washington, D.C. 20530-0001, this 5<sup>th</sup> day of August, 2020.

*/s/ David J. Joffe*  
DAVID J. JOFFE, ESQUIRE

UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING  
56 Forsyth Street, N.W.  
Atlanta, Georgia 30303

David J. Smith  
Clerk of Court

For rules and forms visit  
[www.ca11.uscourts.gov](http://www.ca11.uscourts.gov)

January 06, 2020

David Jonathon Joffe  
Joffe Law, PA  
110 SE 6TH ST STE 1700  
FORT LAUDERDALE, FL 33301-5047

Appeal Number: 19-15022-H  
Case Style: USA v. Malik Timbers  
District Court Docket No: 2:18-cr-00190-SPC-MRM-7

Party To Be Represented: Malik Timbers

Dear Counsel:

We are pleased to advise that you have been appointed to represent the indigent litigant named above. This work is comparable to work performed pro bono publico. The fee you will receive likely will be less than your customary one due to limitations on the hourly rate of compensation contained in the Criminal Justice Act (18 U.S.C. § 3006A), and consideration of the factors contained in Addendum Four § (g)(1) of the Eleventh Circuit Rules.

Supporting documentation and a link to the CJA eVoucher application are available on the internet at <http://www.ca11.uscourts.gov/attorney-info/criminal-justice-act>. For questions concerning CJA eVoucher please contact our CJA Team by email at [cja\\_evoucher@ca11.uscourts.gov](mailto:cja_evoucher@ca11.uscourts.gov) or phone 404-335-6167. For all other questions, please call the "Reply To" number shown below.

Every motion, petition, brief, answer, response and reply filed must contain a Certificate of Interested Persons and Corporate Disclosure Statement (CIP). Appellants/Petitioners must file a CIP within 14 days after the date the case or appeal is docketed in this court; Appellees/Respondents/Intervenors/Other Parties must file a CIP within 28 days after the case or appeal is docketed in this court, regardless of whether appellants/petitioners have filed a CIP. See FRAP 26.1 and 11th Cir. R. 26.1-1.

On the same day a party or amicus curiae first files its paper or e-filed CIP, that filer must also complete the court's web-based CIP at the [Web-Based CIP](#) link on the court's website. Pro se

filers (except attorneys appearing in particular cases as pro se parties) are **not required or authorized** to complete the web-based CIP.

Your claim for compensation under the Act should be submitted within 60 days after issuance of mandate or filing of a certiorari petition. We request that you enclose with your completed CJA Voucher one additional copy of each brief, petition for rehearing, and certiorari petition which you have filed. Please ensure that your voucher includes a detailed description of the work you performed. Thank you for accepting this appointment under the Criminal Justice Act.

Sincerely,

DAVID J. SMITH, Clerk of Court

Reply to: Gerald B. Frost, H  
Phone #: (404) 335-6182

CJA-1 Appointment of Counsel Letter