

No.

In The

Supreme Court of the United States

Thomas Wayne Godard,
Petitioner,

v.

United States of America,
Respondent.

On Appeal From The United States
Court of Appeals For The Fourth Circuit

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

Petitioner, Mr. Godard, respectfully requests leave of this Court to file his Petition for Writ of Certiorari without payment of costs and to proceed in forma pauperis pursuant to Rule 39 of the Rules of the Supreme Court of the United States and 18 U.S.C. section 3006A(d)(7). In support thereof, Petitioner states as follows:

Thomas Wayne Godard is in the custody of the Federal Bureau of Prisons, Federal Correctional Institution Beckley, incarcerated on his underlying judgment for a term of 384 months imposed.

Mr. Godard is indigent and has been represented by court-appointed counsel throughout the proceedings against him. On 24 August 2016, the United States District Court for the Eastern District of North Carolina appointed the Federal Public Defender as indigent counsel to represent Mr. Godard in the federal criminal proceeding; attorney Deirdre A. Murray noticed appearance. On 24 July 2018, the Fourth Circuit Court of Appeals appointed CJA counsel to represent Mr. Godard in the appeal, Thomas Reston Wilson (substituted upon his withdrawal by undersigned as CJA indigent counsel). *See Order.*

Respectfully submitted,

Deborrah L. Newton
Newton Law
557 East Edenton Street
Raleigh, NC 27601

Attorney for Petitioner

FILED: September 12, 2019

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 18-4515
(4:16-cr-00030-FL-1)

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

THOMAS WAYNE GODARD, a/k/a True

Defendant - Appellant

O R D E R

The court grants the motion to withdraw as counsel on appeal.

The court appoints Deborrah L. Newton to represent Thomas Wayne Godard on appeal. Counsel is referred to the [CJA Payment Memorandum](#) and the [CJA eVoucher Page](#) for information on appointment terms and procedures.

CJA authorization for preparation of transcript is obtained by submitting an AUTH-24 request in the district eVoucher system. New appellate counsel must contact district eVoucher staff for appointment to the underlying district court case in order to submit the AUTH-24 request for district judge approval and the CJA 24

voucher for transcript payment. Counsel must also submit a Transcript Order Form to the court reporter and district court and file the same in the court of appeals with the docketing statement. Upon filing of the Transcript Order Form, the Fourth Circuit will set deadlines for completion of the transcript.

CJA 20 and 21 vouchers are submitted for payment through the Fourth Circuit's CJA eVoucher system. Upon receiving email notification of this appointment from eVoucher, counsel may create CJA 20 and 21 vouchers for use in maintaining time and expense records and paying for expert services.

In light of this appointment, appellate counsel is granted access to sealed district court material, with the exception of ex parte or in camera material. Any transcripts or record material sent to prior counsel shall be provided by prior counsel to newly appointed counsel. If record items are not available from former counsel, new counsel should contact the Fourth Circuit Appointments Deputy for assistance in obtaining these items.

The court having appointed new counsel for purposes of this appeal, any motion for further substitution of counsel shall be disfavored.

For the Court--By Direction

/s/ Patricia S. Connor, Clerk