

Case No: _____

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM 2020

THRONE THOMAS SMILEY,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

On Petition for a Writ of Certiorari
to the Court of Appeals for the Eleventh Circuit

MOTION TO PROCEED IN FORMA PAUPERIS

Christine A. Freeman, Executive Director
Mackenzie S. Lund*
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**Counsel of Record*

December 7, 2020

Petitioner, Throne Thomas Smiley, asks leave to file his Petition for Writ of Certiorari without prepayment of costs and to proceed *in forma pauperis* pursuant to Rule 39. Mr. Smiley has been represented by the Federal Defenders for the Middle District of Alabama by appointment. The order appointing the Federal Defenders to represent Mr. Smiley was entered on April 22, 2016. A copy of this order is attached to this motion.

Respectfully submitted,

/s/ Mackenzie S. Lund

Mackenzie S. Lund

Assistant Federal Defender

Federal Defenders for the Middle District of Alabama

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(334)-834-2099

Counsel of Record for Petitioner

Executed on December 7, 2020

DEBRA P. HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALAIN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMAIN RE: JOHNSON V. UNITED
STATES, 135 S. Ct. 2551 (2015))
)Civil Misc. No. 2:16-mc-3744-WKW**STANDING ORDER**

Pursuant to 18 U.S.C. §§ 3006A(a)(1) and (c) of the Criminal Justice Act and the discretion of the Court, the Office of the Federal Defender for the Middle District of Alabama ("Federal Defender's Office") is hereby appointed to represent any defendant sentenced in this district who was previously determined to have been entitled to appointment of counsel, or who is now indigent, to determine whether the defendant may qualify for federal habeas relief under 28 U.S.C. § 2255 or 28 U.S.C. § 2241 in light of Johnson v. United States, 135 S. Ct. 2551 (2015).

The U.S. Probation Office for the Middle District of Alabama and the U.S. District Court Clerk's Office for the Middle District of Alabama are authorized to disclose Presentence Investigation Reports, Statements of Reason, and Judgments to the Federal Defender's Office for the purpose of determining eligibility for relief under Johnson.

DONE this the 21ST day of April, 2016.W. Keith Watkins
CHIEF UNITED STATES DISTRICT JUDGE