

No. \_\_\_\_\_

IN THE  
SUPREME COURT OF THE UNITED STATES

Augustine Cavitte — PETITIONER  
(Your Name)

VS.

State of Nebraska — RESPONDENT(S)

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Please check the appropriate boxes:

Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

District Court of Douglas County Nebraska

Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

Petitioner's affidavit or declaration in support of this motion is attached hereto.

Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

The appointment was made under the following provision of law: \_\_\_\_\_  
Neb Rev. Stat. § 23-3402, or

a copy of the order of appointment is appended.

Thomas C. Riley  
(Signature)

IN THE DISTRICT COURT FOR DOUGLAS COUNTY, NEBRASKA

THE STATE OF NEBRASKA, ) CR18-1581

Plaintiff, )

vs. ) **ORDER**  
 ) **PUBLIC DEFENDER APPOINTED,**  
 ) **WRITTEN ARRAIGNMENT, AND**  
 ) **ORDER FOR DISCOVERY**

AUGUSTINE L. CAVITTE, )  
 )  
Defendant. )

Pursuant to Defendant's financial affidavit, the Public Defender's Office is hereby appointed to represent the Defendant.

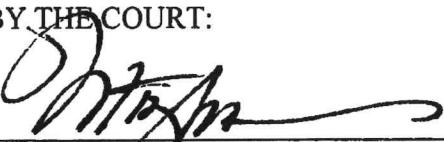
Pursuant to Neb. Rev. Stat. §29-4206, the Defendant in the above entitled action filed a Written Arraignment, waiving his/her right to physically appear for arraignment in District Court and asked the Court to enter a plea of "Not Guilty" on the Defendant's behalf.

The Court orders Mutual and Reciprocal Discovery pursuant to statute. Defendant's bond is hereby continued.

**IT IS THEREFORE ORDERED**, that the Public Defender's Office is hereby appointed to represent the defendant; the Defendant's plea of Not Guilty is hereby accepted and Mutual and Reciprocal Discovery is hereby granted.

DATED this 8 day of May, 2018.

BY THE COURT:

  
Thomas A. Otepka  
DISTRICT COURT JUDGE

Prepared and submitted by:  
Bethany R. Stensrud, #24679  
Assistant Public Defender  
H05 Civic Center  
Omaha, Nebraska 68183  
(402) 444-7175

#41 FILED  
IN DISTRICT COURT  
DOUGLAS COUNTY NEBRASKA  
MAY 09 2018  
JOHN M. FRIEND  
CLERK DISTRICT COURT



IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

THE STATE OF NEBRASKA, ) CASE NO. CR18-1581  
vs. )  
Plaintiff, )  
vs. )  
AUGUSTINE CAVITTE, ) **ORDER ALLOWING DEFENDANT**  
Defendant. ) **TO PROCEED IN FORMA PAUPERIS**

THIS MATTER is before the Court on Defendant's application to proceed in forma pauperis in his direct appeal to the Nebraska Court of Appeals/Nebraska Supreme Court. The Court being fully advised in the premises finds that such application shall be granted and it is hereby Ordered that the Defendant is allowed to proceed in forma pauperis.

DATED this 2 day of July, 2019.

BY THE COURT:

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District Court Judge

