

Case No: \_\_\_\_\_

---

IN THE SUPREME COURT OF THE UNITED STATES  
OCTOBER TERM 2020

---

JERALD DEAN GODWIN,  
*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\*  
Federal Defenders, Middle District of Alabama  
817 S. Court Street  
Montgomery, Alabama 36104  
Telephone: 334.834.2099  
Facsimile: 334.834.0353  
Email: [Mackenzie\\_S\\_Lund@fd.org](mailto:Mackenzie_S_Lund@fd.org)

\**Counsel of Record*

February 8, 2021

Petitioner, Jerald Dean Godwin, 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. Godwin has been represented by the Federal Defenders for the Middle District of Alabama by appointment. The order appointing the Federal Defenders to represent Mr. Godwin was entered on July 12, 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  
817 S. Court Street  
Montgomery, AL 36104  
(334)-834-2099  
*Counsel of Record for Petitioner*

Executed on February 8, 2021

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

JERALD DEAN GODWIN, )  
Petitioner, )  
v. ) Civil Action No. 2:16cv509-MHT  
UNITED STATES OF AMERICA, )  
Respondent. )

## ORDER

Because the Federal Defender has been 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),” see Standing Order, No. 2:16-mc-3744-WKW, and because the petitioner seeks to raise a *Johnson* claim, it is ORDERED as follows

- (1) The petitioner's motion for appointment of counsel (Doc. No. 2) is GRANTED.
- (2) The Federal Defender is appointed to represent the petitioner for purposes of reviewing his case as stated above and to take all appropriate future action as is necessary.
- (3) If, for whatever reason, the Federal Defender does not wish to represent the defendant, she can file an appropriate motion to withdraw. If the Federal Defender does not think it prudent to state explicitly the reason for the withdrawal, she need not do so.

The Clerk of the Court is directed to arrange for the Federal Defender to receive a copy of this order.

DONE this 12<sup>th</sup> day of July, 2016.

/s/ Charles S. Coody  
CHARLES S. COODY  
UNITED STATES MAGISTRATE JUDGE