

No. 20-\_\_\_\_\_

IN THE  
UNITED STATES SUPREME COURT

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BERNARD THOMAS,

*Petitioner,*

-v-

UNITED STATES OF AMERICA,

*Respondent.*

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**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*.

Petitioner has previously been granted leave to proceed *in forma pauperis* by the United States District Court for the Western District of New York.

Undersigned counsel was appointed to represent petitioner pursuant to the Criminal Justice Act of 1964, 18 U.S.C.A. §3006A by the Second Circuit Court of Appeals on January 16, 2018 (appointment in prior case continued to instant case). A copy of the Order of Appointment is attached as Exhibit A.

Dated: Garden City, New York  
January 6, 2021



Peter J. Tomao, Esq.  
Counsel for Petitioner-Defendant  
Bernard Thomas

**UNITED STATES COURT OF APPEALS  
FOR THE  
SECOND CIRCUIT**

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 16<sup>th</sup> day of January, two thousand and eighteen.

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United States of America,

Appellee - Cross - Appellant,

v.

Bernard Thomas,

Defendant - Appellant - Cross - Appellee.

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**ORDER**

Docket No. 17-4022(L); 18-106 (xap)

The Federal Defenders of New York, Inc. move to be relieved as counsel for the Appellant.

IT IS HEREBY ORDERED that the motion to be relieved is GRANTED. Peter J. Tomao, Law Office of Peter J. Tomao, 600 Old Country Road, Suite 328, Garden City, NY 11530, is assigned as new counsel pursuant to the Criminal Justice Act, 18 U.S.C. §3006A. Attorney Tomao is directed to review Local Rule 12.2 regarding the filing of Form B and Local Rule 31.2 regarding procedures for setting the filing dates for the submission of briefs.

For the Court:

Catherine O'Hagan Wolfe,  
Clerk of Court

The image shows a handwritten signature in black ink that reads "Catherine O'Hagan Wolfe". The signature is written over a circular official seal of the United States Court of Appeals for the Second Circuit. The seal is blue and white with the words "UNITED STATES", "SECOND CIRCUIT", and "COURT OF APPEALS" around the perimeter.