

No. _____

IN THE
Supreme Court of the United States

TERRY LEE OCKERT, JR.,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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

KEITH BRADLEY

Counsel of Record

BRENT OWEN

SCHELEESE GOUDY

SQUIRE PATTON BOGGS (US) LLP

1801 California Street

Denver, CO 80202

(303) 830-1776

keith.bradley@squirepb.com

brent.owen@squirepb.com

scheleese.goudy@squirepb.com

Counsel for Petitioner Terry Ockert

Petitioner Terry Lee Ockert, Jr., asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis* pursuant to Rule 39.

The district court (the United States District Court for the District of Kansas) found Ockert eligible for court-appointed counsel under the Criminal Justice Act, 18 U.S.C. 3006A; and the court of appeals (the United States Court of Appeals for the Tenth Circuit) appointed Mr. Bradley, counsel of record for this petition, as counsel for Ockert under that statute. Petitioner has not sought leave to proceed *in forma pauperis* unsuccessfully in any other court.

Under Rule 39, an accompanying affidavit is not required in light of that appointment. A copy of the Tenth Circuit's appointment order is appended to this motion.

Dated: March 4, 2020

Respectfully submitted.

KEITH BRADLEY
Counsel of Record
BRENT OWEN
SCHELEESE GOUDY
SQUIRE PATTON BOGGS (US) LLP
1801 California Street
Denver, CO 80202
(303) 830-1776
keith.bradley@squirepb.com
brent.owen@squirepb.com
scheleese.goudy@squirepb.com

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

March 19, 2019

Elisabeth A. Shumaker
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

TERRY LEE OCKERT, JR.,

Defendant - Appellant.

No. 19-3049
(D.C. No. 6:17-CR-10151-EFM-1)
(D. Kan.)

ORDER

Before **TYMKOVICH**, Chief Circuit Judge.

This matter comes on for consideration of the *Motion to Withdraw* filed by David M. Rapp, counsel for Appellant Terry Lee Ockert, Jr. Upon consideration thereof, the motion is granted. Mr. Rapp is directed to send a copy of this order to Mr. Ockert.

The district court made the requisite finding of eligibility for appointment of counsel pursuant to 18 U.S.C. § 3006A. Mr. Rapp is appointed nunc pro tunc from the date the notice of appeal was filed. The appointment ends with the entry of this order appointing new counsel.

Mr. Rapp shall transmit to newly appointed counsel copies of all documents in his possession that are pertinent to this proceeding and are not otherwise available through PACER and/or CM/ECF within 10 days of the date of this order.

Keith Bradley is appointed counsel for Mr. Ockert pursuant to 18 U.S.C. § 3006A. Mr. Bradley may be reached at 1801 California Street, Suite 4900, Denver CO 80202; the telephone number is 303.830.1776; the e-mail address is keith.bradley@squirepb.com.

Within 10 days of the date of this order, Mr. Bradley shall file an entry of appearance.

It is further ordered that Mr. Bradley file a transcript order form and designation of record within 21 days of the date of this order.

The opening brief shall be filed within 40 days of the date the record on appeal is filed in this court.

Entered for the Court
ELISABETH A. SHUMAKER, Clerk

A handwritten signature in cursive script, appearing to read "Ellen Rich Reiter".

by: Ellen Rich Reiter
Counsel to the Clerk

**UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT
OFFICE OF THE CLERK**

Byron White United States Courthouse
1823 Stout Street
Denver, Colorado 80257
(303) 844-3157

Elisabeth A. Shumaker
Clerk of Court

March 19, 2019

Chris Wolpert
Chief Deputy Clerk

Keith Bradley
Squire Patton Boggs
1801 California Street, Suite 4900
Denver, CO 80202

RE: 19-3049, United States v. Ockert
Dist/Ag docket: 6:17-CR-10151-EFM-1

Dear Counsel:

You have been appointed as counsel for appellant under the Criminal Justice Act, 18 U.S.C. 3006A. The order appointing you has been docketed in the above-referenced appeal.

Effective July 20, 2015, all Tenth Circuit Appellate Criminal Justice Act ("CJA") vouchers must be prepared and submitted electronically via eVoucher. eVoucher is a nationally-supported, web-based solution for the preparation, submission, monitoring and approval of CJA vouchers. The Tenth Circuit's eVoucher database can be accessed by clicking [here](#), or by pasting the following URL into your web browser:

https://evsdweb.ev.uscourts.gov/CJA_c10_prod/CJAeVoucher/

For eVoucher Technical Support please review the Court's [eVoucher Resources Page](#) (<http://www.ca10.uscourts.gov/cja/evoucher>), or contact the Clerk's Office at (303) 844-3157 or eVoucher@ca10.uscourts.gov.

For substantive questions regarding the content of a voucher, required documentation, and related issues please consult the Court's [CJA Policies and Procedures Webpage](#) (<http://www.ca10.uscourts.gov/cja/tenth-circuit-and-national-cja-policies-and-procedures>), or contact a CJA case analyst at (303) 844-5306 or CJA_Vouchers@ca10.uscourts.gov.

If an adverse decision is rendered you must advise your client of the right to seek review of this court's decision by petition for writ of certiorari. If the client requests, and you believe a petition for writ of certiorari to be legally sound, you must file one with the

Clerk of the Supreme Court of the United States. *See* Criminal Justice Act Plan, 10th Cir. R., Addendum I. If you claim compensation on the CJA 20 voucher for services rendered in petitioning for certiorari, you must attach a PDF copy of the petition in the "Documents" tab of your electronic voucher.

Please contact this office if you have questions.

Sincerely,

A handwritten signature in black ink, reading "Elisabeth A. Shumaker". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Elisabeth A. Shumaker
Clerk of the Court

cc: Annette B. Gurney
Alan G. Metzger
David M. Rapp

EAS/jm