

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

ISRAEL ERNESTO PALACIOS

Petitioner

v.

UNITED STATES OF AMERICA

Respondent

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Mr. Israel Ernesto Palacios asks leave to proceed *in forma pauperis* in this case. Mr. Palacios proceeded *in forma pauperis* in the Court of Appeals for the Fourth Circuit and the District Court for the District of Maryland. The Court of Appeals for the Fourth Circuit appointed the undersigned counsel to represent Mr. Palacios under the Criminal Justice Act, 18 U.S.C. § 3006A. A letter confirming counsel's appointment is attached. Therefore, no affidavit or declaration is required per Supreme Court Rule 39(1) and 18 U.S.C. § 3006A(d)(7).

Respectfully submitted,



Thomas V. Burch
Counsel of Record for Petitioner
University of Georgia School of Law
Appellate Litigation Clinic
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March 4, 2021

OFFICE OF STAFF COUNSEL
**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

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TEL. (804) 916-2900
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August 22, 2019

Thomas Burch
University of Georgia School of Law
Appellate Clinic
225 Herty Drive
Athens, GA 30602

Re: No. 18-6067 *United States v. Palacios*

Dear Professor Burch:

Thank you for agreeing to be appointed as counsel on behalf of the appellant in this appeal.

The issue as to which a certificate of appealability has been granted is:

POSTCONVICTION: Whether Palacios's counsel was ineffective for failing to assert a double jeopardy defense to his conviction under 18 U.S.C. § 924(c), which is an element of 18 U.S.C. § 924(j).

Should you conclude that any other issue or issues would benefit from briefing and oral argument, you may move to expand the certificate of appealability pursuant to Fourth Circuit Local Rule 22.

Because this appointment is made pursuant to the Criminal Justice Act, the maximum authorized compensation is \$8200 plus expenses. An hourly rate of \$148 applies to both in-court and out-of-court work. Any compensation issues should be addressed to Deputy Clerk Patty Layne at (804) 916-2700.

The case manager assigned to this appeal, Cyndi Halupa, will assist you with any procedural inquiries; she also can be reached at (804) 916-2700. Please contact me at (804) 916-2900 for any other assistance.

Professor Thomas Burch
August 22, 2019
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You will be notified as to the briefing schedule promptly after it is established by the Clerk's Office. The electronic record on appeal is available on PACER. Your appointment to this case as a member of this Court's Discretionary Panel authorizes you to obtain and use a fee exempt CJA Panel Attorney account to provide representation in this case.

We appreciate your assistance to the Court in accepting this appointment.

Very truly yours,

Melissa L. Wood
Senior Staff Counsel

MLW/ksy

cc: Israel Ernesto Palacios
Laura Jean Gwinn, Esq.
William Moomau, Esq.
John Alexander Romano, Esq.
Jennifer Regina Sykes, Esq.
James Marton Trusty, Esq.
Michael Stephen Warbel, Esq.