

Record No. _____

In The
Supreme Court of the United States

LUCAS KENNETH SABATINO,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

The Petitioner, Lucas Kenneth Sabatino, requests leave to file the attached Petition for a Writ of Certiorari to the United States Court of Appeals for the Fourth Circuit without prepayment of costs and to proceed *in forma pauperis* pursuant to Rule 39. The United States Court of Appeals for the Fourth Circuit appointed counsel to represent Petitioner. The Order appointing counsel is attached to this motion.

May 5, 2021

Respectfully Submitted,

/s/ Charles R. Brewer
Charles R. Brewer
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Asheville, NC 28801
(828) 251-5002
Counsel of Record for Petitioner

FILED: January 28, 2020

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 19-4809
(3:19-cr-00009-MOC-DCK-1)

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

LUCAS KENNETH SABATINO

Defendant - Appellant

O R D E R

The court grants the motion to withdraw as counsel on appeal.

The court appoints Charles Robinson Brewer to represent Lucas Kenneth Sabatino on appeal. Counsel is referred to the [CJA Payment Memorandum](#) and the [CJA eVoucher Page](#) for information on appointment terms and procedures.

CJA authorization for preparation of transcript is obtained by submitting an AUTH-24 request in the district eVoucher system. New appellate counsel must contact district eVoucher staff for appointment to the underlying district court case in order to submit the AUTH-24 request for district judge approval and the CJA 24

voucher for transcript payment. Counsel must also submit a Transcript Order Form to the court reporter and district court and file the same in the court of appeals with the docketing statement. Upon filing of the Transcript Order Form, the Fourth Circuit will set deadlines for completion of the transcript.

CJA 20 and 21 vouchers are submitted for payment through the Fourth Circuit's CJA eVoucher system. Upon receiving email notification of this appointment from eVoucher, counsel may create CJA 20 and 21 vouchers for use in maintaining time and expense records and paying for expert services.

In light of this appointment, appellate counsel is granted access to sealed district court material, with the exception of ex parte or in camera material. Any transcripts or record material sent to prior counsel shall be provided by prior counsel to newly appointed counsel. If record items are not available from former counsel, new counsel should contact the Fourth Circuit Appointments Deputy for assistance in obtaining these items.

The court having appointed new counsel for purposes of this appeal, any motion for further substitution of counsel shall be disfavored.

For the Court--By Direction

/s/ Patricia S. Connor, Clerk