

No. _____

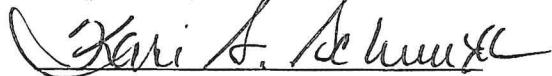
IN THE
SUPREME COURT OF THE UNITED STATES

UNITED STATES OF AMERICA - RESPONDENT
VS
GAVIN WAYNE WRIGHT - PETITIONER
ON PETITION FOR WRIT OF CERTIORARI TO
UNITED STATES COURT OF APPEALS FOR TENTH CIRCUIT

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* in the following courts: United States District Court for the District of Kansas, United States Court of Appeals for the Tenth Circuit. A copy of the Order of the United States Court of Appeals for the Tenth Circuit appointing counsel is attached, in accordance with Rule 39.1 of this Court.

Respectfully submitted,



Kari S. Schmidt, #11524
Conlee Schmidt & Emerson LLP
200 W. Douglas, Suite 300
Wichita, Kansas 67202
Phone: (316) 264-3300
Fax: (316) 264-3423
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UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

February 19, 2019

Elisabeth A. Shumaker
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

No. 19-3035

GAVIN WAYNE WRIGHT,

Defendant - Appellant.

ORDER

Before **TYMKOVICH**, Chief Circuit Judge.

This matter comes on for consideration of the *Motion to Continue CJA Appointment on Appeal* filed by Kari S. Schmidt, counsel for Appellant Gavin Wayne Wright. Upon consideration thereof, the motion is granted.

The district court has made the requisite finding of eligibility for appointment of counsel under 18 U.S.C. § 3006A. Ms. Schmidt is appointed counsel nunc pro tunc from the date the notice of appeal was filed in this court. The court notes that Tyler J. Emerson has also entered an appearance on behalf of Mr. Wright. Only Ms. Schmidt is appointed counsel under 18 U.S.C. § 3006A. Mr. Emerson may assist in the preparation of pleadings, but only Ms. Schmidt may file a CJA voucher and the maximum compensation allowed is the maximum set forth in the Criminal Justice Act. *See Guide to Judiciary Policy*, Vol. 7, Defender Services, Part A Guidelines for Administering the

CJA and Related Statutes, Chapter 2: Appointment and Payment of Counsel, §
230.53.10(a), (b).

Entered for the Court
ELISABETH A. SHUMAKER, Clerk
Ellen Rich Reiter
by: Ellen Rich Reiter
Jurisdictional Attorney

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

February 19, 2019

Chris Wolpert
Chief Deputy Clerk

Ms. Kari S. Schmidt
Conlee, Schmidt & Emerson
200 West Douglas Avenue, Suite 300
Wichita, KS 67202

RE: 19-3035, United States v. Wright
Dist/Ag docket: 6:16-CR-10141-EFM-3

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,



Elisabeth A. Shumaker
Clerk of the Court

cc: Risa Berkower
Tovah Calderon
David P. Cora
Mary J. Hahn
Anthony W. Mattivi
Christine A. Monta
Danielle Tarin

EAS/mlb