

No. \_\_\_\_\_

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IN THE  
SUPREME COURT OF THE UNITED STATES

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JAMES H. BATES,  
*Petitioner,*

v.

UNITED STATES OF AMERICA,  
*Respondent.*

---

On Petition for Writ of Certiorari  
to the United States Court of Appeals for the Fifth Circuit

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

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NOW COMES Petitioner James Bates, through undersigned counsel, who moves this Honorable Court for leave to proceed *in forma pauperis* and to file the attached Petition for Writ of Certiorari without prepayment of costs, pursuant to Supreme Court Rule 39 and 18 U.S.C. § 3006A(d)(7). A United States District Judge for the Eastern District of Louisiana declared Mr. Bates indigent and appointed the Federal Public Defender to represent him. *See United States v. Bates*, No. 2:06-CR-243, Dkt. 3, (E.D. La. Aug. 15, 2006) (attached hereto).

WHEREFORE, Petitioner respectfully moves this Honorable Court for leave to proceed *in forma pauperis* and to file the attached Petition for Writ of Certiorari without prepayment of costs.

Respectfully submitted this 10th day of August, 2021.

/s/ Samantha Kuhn  
SAMANTHA J. KUHN  
Assistant Federal Public Defender  
*Counsel of Record*  
Office of the Federal Public Defender  
500 Poydras Street, Suite 318  
Hale Boggs Federal Building  
New Orleans, Louisiana 70130  
(504) 589-7930  
samantha\_kuhn@fd.org

U. S. DISTRICT COURT  
Eastern District of Louisiana

FILED AUG 15 2006

LORETTA G. WHYTE

Clerk

BB

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

CR. NO. 06-148 MAG

UNITED STATES OF AMERICA

)

ORDER

VERSUS

) X/

Appointing Counsel

) /

Substituting Counsel For:

JAMES H. BATES

) /

Ratifying Prior Service

) /

Extending Appointment for Appeal

CHARGE: 21 USC 841: POSSESSION WITH INTENT TO DISTRIBUTE

X Felony/ Misdemeanor☒

The defendant, having satisfied this Court that he/she: (1) is financially unable to employ counsel, and (2) does not wish to waive counsel, and because the interests of justice so require, the Federal Public Defender named below is hereby appointed to represent this defendant in the above designated case until relieved by order of the District Court:

**VIRGINIA LAUGHLIN SCHLUETER, FEDERAL PUBLIC DEFENDER**  
**500 POYDRAS STREET, ROOM 318, HALE BOGGS FEDERAL BUILDING**  
**NEW ORLEANS, LA 70130 PHONE: (504)589-7930**

☐

Federal Public Defender is appointed for the limited purpose of:

☐

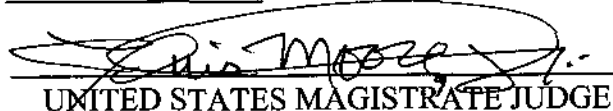
It appearing to the Court that although the defendant is financially unable to employ counsel, he/she is not totally indigent.

☐

IT IS FURTHER ORDERED that the defendant pay to the Clerk, U.S. District Court, for services of counsel, the total amount of \$\_\_\_\_\_ to be paid within 10 working days or by \_\_\_\_\_

☐

IT IS FURTHER ORDERED that the defendant is to pay to the Clerk, U.S. District Court, for services of counsel, \$\_\_\_\_\_ per month. This amount is to be paid, beginning on \_\_\_\_\_, 20\_\_\_\_, until further orders of the Court.

Dated at New Orleans, Louisiana, on AUGUST 15, 2006.


UNITED STATES MAGISTRATE JUDGE

Copy to Financial Unit-Clerk's Office (Only if defendant is ordered to pay)

\_\_\_ Fee \_\_\_\_\_  
 \_\_\_ Process \_\_\_\_\_  
X Dktd \_\_\_\_\_  
 \_\_\_ CtRmDep \_\_\_\_\_  
 \_\_\_ Doc. No. \_\_\_\_\_