

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

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

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

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

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U. S. DISTRICT COURT
Eastern District of Louisiana

FILED AUG 15 2006

LORETTA G. WHYTE
Clerk *BB*UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANACR. NO. 06-148 MAG

UNITED STATES OF AMERICA)	ORDER
VERSUS) <u>X</u> /	Appointing Counsel
) <u> </u> /	Substituting Counsel For:
JAMES H. BATES) <u> </u> /	Ratifying Prior Service
) <u> </u> /	Extending Appointment for Appeal

CHARGE: 21 USC 841: POSSESSION WITH INTENT TO DISTRIBUTE

<input checked="" type="checkbox"/> <u>X</u> Felony	<input type="checkbox"/> Misdemeanor
<input checked="" type="checkbox"/> <u>X</u>	

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

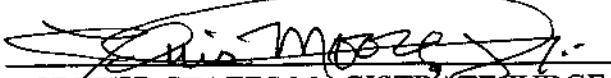
Federal Public Defender is appointed for the limited purpose of:

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)

<input type="checkbox"/> Fee _____
<input type="checkbox"/> Process _____
<input checked="" type="checkbox"/> Dktd. _____
<input type="checkbox"/> CtRmDep _____
<input type="checkbox"/> Doc. No. _____