

21-5364 ORIGINAL

No.

Supreme Court of the United States

Supreme Court, U.S.
FILED

AUG 03 2021

OFFICE OF THE CLERK

TYRONE CAMMON,

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.

**ON PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

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

COMES NOW PETITIONER TYRONE CAMMON and respectfully moves this Honorable Court for leave to proceed in forma pauperis, in accordance with the provisions of Title 28, United States Code, Section 1915, and Rule 39 of the Rules of this Court.

The affidavit of Tyrone Cammon in support of this motion is attached hereto.

Mr. Cammon sought leave to proceed in forma pauperis in the court below.

Mr. Cammon was granted leave to proceed in forma pauperis in the court below.

The statute under which Mr. Cammon was appointed counsel by the Northern District of Ohio / Court of Appeals for the Sixth Circuit was the Criminal Justice Act of 1964, 18 U. S. C. § 3006A. Therefore, in reliance upon Supreme Court Rule 39.1 and 18 U.S.C. § 3006A(d)(7), petitioner has *not* attached the affidavit which would otherwise be required.**

Presented herewith is Mr. Cammon's Petition for Writ of Certiorari to the Court of Appeals for the Sixth Circuit.

Tyrone Cammon
Petitioner
65353-060
P.O. Box 2000
Bruceton Mills, WV 26525

Date: _____

** Supreme Court Rule 39.1 provides:

A party seeking to proceed in forma pauperis shall file a motion for leave to do so, together with the party's notarized affidavit or declaration (in compliance with 28 U.S.C. § 1746) in the form prescribed by the Federal Rules of Appellate Procedure, Form 4. The motion shall state whether leave to proceed in forma pauperis was sought in any other court and, if so, whether leave was granted. *If the United States district court or the United States court of appeals has appointed counsel under the Criminal Justice Act of 1964, 18 U.S.C. § 3006A, or under any other applicable federal statute, no affidavit or declaration is required, but the motion shall cite the statute under which counsel was appointed.* *Id.* (As Amended Jan. 27, 2003, eff. May 1, 2003.) (emphasis added)

18 U.S.C. § 3006A(d)(7) provides:

(7) Proceedings before appellate courts. If a person for whom counsel is appointed under this section appeals to an appellate court or petitions for a writ of certiorari, he may do so without prepayment of fees and costs or security therefor and *without filing the affidavit required by section 1915(a) of title 28.* *Id.* (emphasis added)

Appeals for the Sixth Circuit.
Presented herewith is Mr. Cannon's Brief on his Petition to the Court of
Petitioner has now attached the affidavits which would otherwise be required."

Brackton Mills, W.V. 26032
 P.O. Box 2000
 (202) 337-0800
 Petitioner
 Lyman Commission

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[illegible]

General Docket
United States Court of Appeals for the Sixth Circuit
Court of Appeals Docket #: 19-4244
USA v. Tyrone Cammon
Appeal From: Northern District of Ohio at Cleveland
Fee Status: In Forma Pauperis

12/19/2019 3 [No Document Attached] RULING to extend appointment of Mr. David Lawrence Doughten for Tyrone Cammon as counsel under the Criminal Justice Act. (BLC) [Entered: 12/19/2019 01:16 PM]