

21-5488 **ORIGINAL**

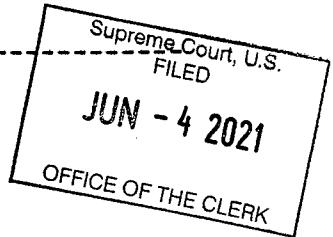
No. _____

IN THE SUPREME COURT OF THE UNITED STATES OF AMERICA

JOHN PATRICK BLACKMON,
Petitioner-Appellant,

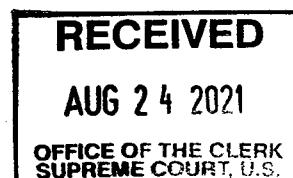
v.

JEFFREY UTTECHT, SUPERINTENDENT,
Respondent-Appellee.



On Petition for This WRIT of Certiorari to the United States
COURT of Appeals for the Ninth Circuit Case No. 19-35883
U.S. Western District COURT of WASHINGTON, Case No. 2:16-cv-01592-RSL

PETITIONER'S MOTION TO PROCEED IN FORMA PAUPERIS, S.C.T. RULE 39



John P. Blackmon
Petitioner-Appellant, PRO SE

John P. Blackmon, # 367781
Coyote Ridge Corrections Center
P.O. Box 769 GA-10-2U
Connell, WA. 99326-0769

010P 04

IN THE SUPREME COURT OF THE UNITED STATES

JOHN P. BLACKMON,

Petitioner-Appellant,

JEFFREY UTTECHT, SUPERINTENDENT,

Respondent-Appellee.

NINTH Circuit COA Case No.#19-35883

U.S.S.CT.CASE No.# ____ --

MOTION AND DECLARATION
PURSUANT TO S.CT. RULE 39, MOTION
FOR LEAVE TO PROCEED IN FORMA
PAUPERIS, CITING 18 USC § 3006A
CLERK ACTION (FILE/NOTE/DOCKET)

COMES NOW, John P. Blackmon, Petitioner herein, establishing motion
for leave of This COURT to proceed in forma pauperis, as was sought and
GRANTED in the WESTERN DISTRICT COURT OF WASHINGTON, Seattle, D.C. Case
No.#2:16-cv-01592-RSL, District COURT herein, and extended through and to
the above NINTH CIRCUIT COURT OF APPEALS, Case No.#19-35883, Circuit COURT
herein, pursuant to ("whether leave to proceed in forma pauperis was
sought in any other court and, if so, whether leave was granted") of S.CT.
Rule 39(1.) Optional, See APPX-A; Pg.017-027,028,031-042

The same COURTS also GRANTING appointed Federal Public Defender and
Counsel for this [I]ndigent Petitioner under Law provision 18 U.S.C. §
3006A, pursuant to ("If the court below appointed counsel for the indigent
party, no affidavit or declaration is required, but the motion shall cite
the provision of law under which counsel was appointed") of S.CT. Rule
39(1.) Optional, See APPX-A, Pg.043-049

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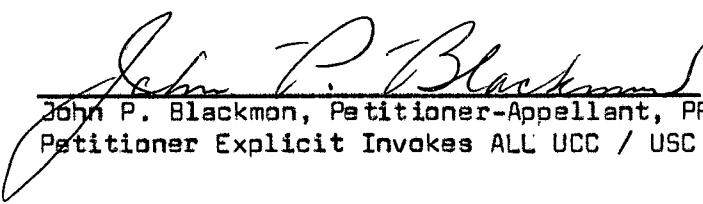
See District COURT, Case No. 2:16-cv-01592-RSL, Docket Entry 12, and
citing WEYGARDT v. LOOK, 718 F.2d 952;

NOTE: This Petitioner, deemed permanently disabled in a Washington State COURT, by Administrative Law Judge, retroactive to mid-2003 timeframe, receiving 100% SSDI benefit for self and dependants up to July 15, 2013 incarceration, was however qualified [I]ndigent initially in Snohomish County Superior COURT Criminal Case No.#12-1-00219-8, in a Resentencing proceeding [n]ot until January 06, 2016, on the timely verbal notice and filing Notice of Appeal to the Resentencing, Washington State COURT of Appeals, Division One, proceeded with appointment of counsel.

This Petitioner currently domiciled and an inmate confined in the Coyote Ridge Corrections Center, an institution, as addressed on APPX-B, AA pg02, and currently [n]ot represented by counsel, pursuant to ("an inmate confined in an institution and is not represented by counsel, in which case the original, alone suffices") of S.CT. Rule 39(2.); See APPX-B, AA MOTION TO WITHDRAW AS COUNSEL FOR APPELLANT JOHN BLACKMON PURSUANT TO CIRCUIT RULE 4-1(e); See WRIT, APPX-AA,Pg.001-003; 19-35883:13af275

This Petitioner affirms and declares under the penalty of perjury under the laws of the State of Washington that the foregoing is true and correct pursuant to RCW 9A.72.085, pursuant to 28 USC 1746 Dickerson v. Wainwright, 626 F.2d 1184(1980).

DATED, PROCLAIMED, and FILED pursuant rule, This 30th day of July, 2021.


John P. Blackmon, Petitioner-Appellant, PRO SE
Petitioner Explicit Invokes ALL UCC / USC Protections

1 DISTRICT JUDGE ROBERT S. LASNIK
2 MAGISTRATE JUDGE JAMES P. DONOHUE
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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 JOHN PATRICK BLACKMON, } No. C16-1592-RSL-JPD
10 Petitioner, } } NOTICE THAT THE FEDERAL
11 v. } } PUBLIC DEFENDER WILL ACCEPT
12 JEFFERY UTTECHT, } } APPOINTMENT AS COUNSEL FOR
13 Respondent. } } THE PETITIONER

14 The Federal Public Defender for the Western District of Washington will accept
15 appointment in this case. Undersigned counsel has spoken with Mr. Blackmon, and he
16 desires to have the Federal Public Defender represent him. In support of this notice and
17 request, counsel states the following:

18 1. On November 21, 2016, the Court referred this case to the Federal Public
19 Defender for review. After reviewing presently available materials, the Federal Public
20 Defender will accept appointment on behalf of Mr. Blackmon.

21 2. I have spoken with Mr. Blackmon by telephone, and he has confirmed
22 that he desires to have counsel appointed. He would like the Federal Public Defender
23 appointed.

24 3. Mr. Blackmon previously filed a motion to appoint counsel, Dkt. 5, and a
25 motion to reconsider an initial order by this Court denying that motion, Dkt. 13. He has
26 filed a declaration and application to proceed *in forma pauperis* in a federal habeas

1 corpus action, along with a statement of finances from the Coyote Ridge Correctional
2 Center. *See* Dkts. 8 and 8-1. These documents establish his financial eligibility for
3 appointment of counsel. However, he has subsequently paid the filing fee so no order
4 granting the motion to proceed *in forma pauperis* is necessary at this time, except
5 insofar as it is necessary to make the appointment of counsel. Dkt. 11.

6 Therefore, it is requested that the Court enter an order appointing the Federal
7 Public Defender to represent Mr. Blackmon based on Mr. Blackmon's previously filed
8 motion for appointment of counsel, the financial information he has previously
9 provided to the Court, and the FPD's willingness to accept the appointment.

10 DATED this 12th day of December, 2016.

11 Respectfully submitted,

12 s/ *Michael Filipovic*
13 Federal Public Defender

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CERTIFICATE OF SERVICE

I certify that on December 12, 2016, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of filing to all registered parties. I further certify I mailed a copy of this notice to John Blackmon.

s/ *Suzie Strait*
Paralegal

**Additional material
from this filing is
available in the
Clerk's Office.**