

IN THE  
SUPREME COURT OF THE UNITED STATES

**JUDE JOSEPH DAVID LOVCHIK**

**Petitioner**

v.

**COMMONWEALTH OF VIRGINIA**

**Respondent**

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

Jude Joseph David Lovchik, Petitioner, asks leave to file the attached Petition for Writ of Certiorari without prepayment of costs and to proceed *in forma pauperis.*

Petitioner has been deemed indigent by the courts of Virginia and the undersigned counsel served as his public defender for all of the relevant proceedings in this case.

Undersigned counsel, Dawn M. Butorac, was appointed to represent Mr. Lovchik by the Fairfax County General District Court, and represented Mr. Lovchik in the Court of Appeals of Virginia and the Virginia Supreme Court through his appeal. Mr. Lovchik remains indigent as he is currently incarcerated by the Virginia Department of Corrections on these matters.

The documentation regarding the Public Defender appointment to Mr. Lovchik's case is attached to this motion.

*/s/ Dawn M. Butorac*

Dawn M. Butorac (VSB 45241)

Public Defender

Office of the Public Defender

4103 Chain Bridge Road, Suite 500

Fairfax, VA 22030

Phone: (703) 934-5600, ext. 121

Facsimile: (703) 934-5160

E-mail: [dbutorac@vadefenders.org](mailto:dbutorac@vadefenders.org)

Counsel for Petitioner

REQUEST FOR APPOINTMENT OF A LAWYER  
COUNTY OF FAIRFAX  
GENERAL DISTRICT COURT

ATTORNEY NAME, ADDRESS:  
DEFENDER, PUBLIC  
4103 CHAINBRIDGE ROAD SUITE 500  
FAIRFAX, VA22030  
703-934-5600

11/15/2017

LOVCHIK, JUDE J

Co-Defendant(s):

Bond Status: HOLD

AKA(s):

At your request, the Court has appointed an attorney to represent you on the charges and upcoming court dates listed below. The attorney name, address, and phone number are listed above.

It is your responsibility to contact your attorney. You must call or meet with your attorney as soon as possible to prepare for your trial.

If you have trouble reaching your attorney, or if you received this notice in error, please call Court Services at 703-246-7530.

01/30/2018 02:00 PM	FX GC1722876900	ABDUCTION: OF PERSON W/ INTENT TO DEFILE
01/30/2018 02:00 PM	FX GC1722877000	SODOMY BY FORCE THREAT OR INTIMIDATION
01/30/2018 02:00 PM	FX GC1722877200	B&E IN NIGHT- DWELLING < A&B INTENT> WHILE ARMED

JUDE J LOVCHIK  
1309 SE 42ND AVE  
OCALA, FL 34471-4946

PHONE: 703-568-5833

## FINANCIAL STATEMENT - ELIGIBILITY DETERMINATION

FOR INDIGENT DEFENSE SERVICES Commonwealth of Virginia

VA. CODE § 19.2-159

## PRESUMPTIVE ELIGIBILITY

No. GC122287  
et

[ ] I currently receive the following type(s) of public assistance in .....

CITY/COUNTY

[ ] TANF \$ ..... [ ] Medicaid [ ] Supplemental Security Income \$ .....  
 [ ] SNAP (food stamps) \$ ..... [ ] Other (specify type and amount) .....

X I currently do not receive public assistance.

Names and address of employer(s) for defendant and spouse:

Self employed DS Contracting, project manager, 1/2 weeks

Spouse (not applicable if alleged victim) .....

## NET INCOME:

Pay period (weekly, every second week, twice monthly, monthly) .....

Self  
by weekly  
\$ 1,400.00

Spouse

Net take home pay (salary/wages, minus deductions required by law) .....

Other income sources (please specify) .....

\$ .....

## EMPLOYMENT HISTORY:

Were you employed at the time of your arrest? [ ] yes [ ] no

If yes, my net take home pay was [ ] per week [ ] month \$ .....

If no, length of time since last employed? .....

Total wages earned last calendar year? \$ .....

TOTAL INCOME \$ .....

+ ..... =   A

## ASSETS:

Cash on hand .....

\$ 0

Bank Accounts at: .....

\$ 200.00

Any other assets: (please specify) .....

with a value of \$ .....

7272 Linden Tree Ln, Springfield, VA

with a value of \$ .....

Real estate - \$ 400,000.00

NET VALUE with a value of \$ .....

with a

## *VIRGINIA:*

*In the Court of Appeals of Virginia on Tuesday the 20th day of October, 2020.*

Jude Joseph David Lovchik, Appellant,

against Record No. 1094-19-4  
Circuit Court No. FE-2018-0000383

Commonwealth of Virginia, Appellee.

From the Circuit Court of Fairfax County

Before Chief Judge Decker, Judges Malveaux and Athey

For reasons stated in writing and filed with the record, the Court is of opinion that there is no error in the judgment appealed from. Accordingly, the judgment is affirmed. The appellant shall pay to the Commonwealth of Virginia \$150 damages.

The Commonwealth shall recover of the appellant the costs in this Court, which costs shall include a fee of \$725 for services rendered by the Public Defender on this appeal, in addition to counsel's necessary direct out-of-pocket expenses, and the costs in the trial court.

This order shall be certified to the trial court.

Costs due the Commonwealth by  
appellant in Court of Appeals of Virginia:

Public Defender      \$725.00 plus costs and expenses

A Copy,

## Teste:

By: **Cynthia L. McCoy, Clerk**  
**Mary K.P. Riley**  
**Deputy Clerk**

**VIRGINIA:**

*In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Tuesday the 13th day of July, 2021.*

Jude Joseph David Lovchik, Appellant,

against      Record No. 201392  
                  Court of Appeals No. 1094-19-4

Commonwealth of Virginia, Appellee.

From the Court of Appeals of Virginia

Upon review of the record in this case and consideration of the argument submitted in support of the granting of an appeal, the Court refuses the petition for appeal.

And it is ordered that the Commonwealth recover of the appellant the costs in this Court and the costs in the courts below.

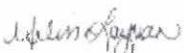
Costs due the Commonwealth  
by appellant in Supreme  
Court of Virginia:

Public Defender      \$1,150.00 plus costs and expenses

A Copy,

Teste:

Douglas B. Robelen, Clerk

By:   
Deputy Clerk