

**IN THE
SUPREME COURT OF THE UNITED STATES**

JUDE JOSEPH DAVID LOVCHIK

Petitioner

v.

COMMONWEALTH OF VIRGINIA

Respondent

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

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

No.

GC122287

PRESUMPTIVE ELIGIBILITY

[] 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) _____

☒ I currently do not receive public assistance.

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

Self employed by DS Contracting / project manager / Ft / 6 weeks

Spouse (not applicable if alleged victim) _____

NET INCOME:

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

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

Other income sources (please specify) _____

Self
br-weekly
\$ 1,400.00

Spouse

\$ _____

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 _____ \$ _____

Bank Accounts at: _____ \$ _____

Any other assets: (please specify) _____

7272 Linden Tree Ln. Springfield, VA with a value of _____ \$ _____

Real estate - \$ 460,000.00 NET VALUE _____ \$ _____

Motor Vehicles { 14 GMC with net value of \$10K
Pay: \$400/m owe \$17K with net value of 0
YEAR AND MAKE YEAR AND MAKE

Other Personal Property: (describe) _____ \$ _____

TOTAL ASSETS

\$ _____ + _____ = B

Self + 1 child Number in household defendant has financial responsibility for, including defendant.

EXCEPTIONAL EXPENSES (Total Exceptional Expenses of Family)

Medical Expenses (list only unusual and continuing expenses) _____ \$ _____

Court-ordered support payments/alimony _____ \$ _____

[] deducted from paycheck [] not deducted from paycheck

Child-care payments (e.g. day care) _____ \$ _____

Other (describe): House loans owe \$100K } \$ _____

This statement is made under oath. Any false statement may constitute a violation of law under Virginia Code § 19.2-161 and be subject to criminal penalty, including incarceration.

TOTAL EXPENSES \$ _____ = C
COLUMN "A" plus COLUMN "B" minus
COLUMN "C" equals available funds =

I hereby state that the above information is correct to the best of my knowledge.

Name of defendant (type or print) Lovchik, Jude Joseph David

11/15/17
DATE

[Signature]
SIGNATURE

Sworn/affirmed and signed before me this day.

11/15/17
DATE

[Signature]
SIGNATURE

1309 SE 42nd Ave
Ocala, FL 34471
(703) 568-5833

PTSE
TITLE

mortgage: \$1167/m

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. Ring

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

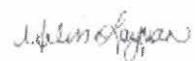
\$1,150.00 plus costs and expenses

A Copy,

Teste:

Douglas B. Robelen, Clerk

By:



Deputy Clerk