

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

JOHNNIE SIMS,
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 Johnnie Sims, 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. Sims indigent and appointed the Federal Public Defender to represent him. *See United States v. Sims*, No. 2:05-CR-297, Dkt. 3, (E.D. La. Jan. 25, 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 29th day of October, 2021.

/s/ Samantha Kuhn

SAMANTHA J. KUHN

Assistant Federal Public Defender

Counsel of Record

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FILED JAN 25 2006

LORETTA G. WHYTE
ClerkUNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANACR. NO. 06-013 MAG

UNITED STATES OF AMERICA)	ORDER
) <u>X</u> /	Appointing Counsel
VERSUS) <u> </u> /	Substituting Counsel For:
)	
JOHNNIE SIMS) <u> </u> /	Ratifying Prior Service
)	Extending Appointment for Appeal
CHARGE: <u>CONSPIRACY TO KILL A SA</u>		
<input checked="" type="checkbox"/> <u>X</u> Felony		Misdemeanor

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**

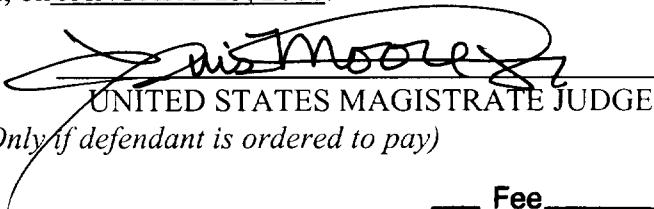
Federal Public Defender is appointed for the limited purpose of:

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 JANUARY 25, 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. _____