

IN THE UNITED STATES SUPREME COURT

UNITED STATES OF AMERICA)
)
 Appellee,) Supreme Court Case # _____
)
) Eighth Cir. Case No. 20-1177
v.)
)
)
KIMANI STERLING)
)
 Appellant.)

REQUEST FOR LEAVE OF COURT TO PROCEED IN FORMA PAUPERIS

Comes now Kimani Sterling, by attorney, and, pursuant to Title 28 U.S.C. Section 1915(a) and Supreme Court Rule 39, moves this Honorable Court to make and enter its Orders, granting Mr. Sterling leave of Court to proceed *in forma pauperis* before this Court upon his petition for writ of certiorari. The grounds for this request will be set forth in the subsequent numbered subparagraphs.

1. Mr. Sterling is a poor person, without the means or funds to prosecute an appeal of his conviction and sentence in the above captioned cause. Specifically, Mr. Sterling does not have the funds to pay the required filing fees, and does not have the funds to pay other costs related to prosecution of his appeal, including the costs of hiring counsel to represent him on appeal.

2. Evidencing Mr. Sterling's pauper status is the fact that he has been represented at trial and on appeal in the above captioned cause by undersigned Counsel who was appointed by the District Court and the Court of Appeals to represent Mr. Sterling per the dictates of 18 U.S.C. 3006A(1), and 18 U.S.C. 3599

after Mr. Sterling satisfied those Courts that he was indigent, without the means or funds to hire counsel to represent him in connection with the trial and appeal of the above captioned cause.

3. Mr. Sterling has been incarcerated since 2015. As a result, Mr. Sterling continues to have no means or funds to bear the costs of an appeal, and has no ability to generate such funds.

4. The ends of justice will best be served by the Court granting the relief sought in this Request.

WHEREFORE, Kimani Sterling prays this Honorable Court to make and enter its Order granting him leave of Court to proceed, before this Court, *in forma pauperis*,

Respectfully submitted

/s/Frederick A. Duchardt, Jr.

FREDERICK A. DUCHARDT, JR.

COUNSEL OF RECORD

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ATTORNEY FOR MR. STERLING

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion was served upon the following by mailing and e-mailing a copy of same to each this 18th day of November, 2021

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/s/Frederick A. Duchardt, Jr.
FREDERICK A. DUCHARDT, JR.