

No. \_\_\_\_\_

IN THE  
SUPREME COURT OF THE UNITED STATES

Marcus L. SHORT — PETITIONER  
(Your Name)

VS.

State of Nebraska — RESPONDENT(S)

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Please check the appropriate boxes:

Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

Douglas County District Court

Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

Petitioner's affidavit or declaration in support of this motion is attached hereto.

Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

The appointment was made under the following provision of law: \_\_\_\_\_  
Neb. Rev. Stat. § 23-3402, or

a copy of the order of appointment is appended.

Thomas C. Rely  
(Signature)

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

THE STATE OF NEBRASKA, ) CASE NO. CR16-973  
)  
Plaintiff, )  
)  
vs. ) **ORDER ALLOWING DEFENDANT**  
MARCUS SHORT, ) **TO PROCEED IN FORMA PAUPERIS**  
)  
Defendant. )

THIS MATTER is before the Court on Defendant's application to proceed in forma pauperis in his direct appeal to the Nebraska Court of Appeals/Nebraska Supreme Court. The Court being fully advised in the premises finds that such application shall be granted and the Defendant be allowed to proceed in forma pauperis.

DATED this 2 day of May, 2019.



BY THE COURT:

District Court Judge



IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

STATE OF NEBRASKA,

) CASE NO. CR-16- 973

Plaintiff,

vs.

) ORDER APPOINTING ATTORNEY;  
 ) ARRAIGNMENT; SETTING BOND;  
 ) AND SETTING A PRELIMINARY  
 ) HEARING

MARCUS L. SHORT,

Defendant.



On June 27, 2017 this matter came before the Court for an Arraignment Hearing regarding the amended information that was filed on June 19, 2017 of the Defendant, Marcus L. Short. Defendant appeared with counsel, Mr. Jason Troia and Mr. Thomas Riley. State appeared by Mr. Michael W. Jensen and Mr. Sean Lavery.

Pursuant to Defendant's indigency, the Court previously appointed Jason Troia and Sean Conway to represent Mr. Short because of a perceived conflict with the Douglas County Public Defender's Office. On June 22, 2017 it came to the Court's attention that there in fact was no conflict with the Douglas County Public Defender's Office and today the matter was discussed on the record.

The Court honorably discharges the services of Mr. Jason Troia and Mr. Sean Conway. The Court thanks Mr. Troia and Mr. Conway for their excellent representation of Mr. Short.

With the consent of Mr. Short, the Court appointed Mr. Thomas C. Riley and the Douglas County Public Defender's office to represent him.

Defendant was arraigned before the Court on the amended information filed on June 19, 2017. The Defendant entered a plea of NOT GUILTY to all of the charges. The Court, by way



of this order, enters a NOT GUILTY PLEA for the Defendant. An Appearance bond is set to the sum of NO BOND.

A Preliminary Hearing Date is scheduled for July 5, 2017 at 9:15 a.m. before the Honorable Horacio J. Wheelock.

**IT IS THEREFORE ORDERED** that Mr. Jason Troia and Mr. Sean Conway are honorably discharged from the case.

**IT IS FURTHER ORDERED** that Thomas Riley, Esq. and the Douglas County Public Defender's office is appointed to represent the defendant.

**IT IS FURTHER ORDERED** the defendant's plea of NOT GUILTY is hereby accepted.

**IT IS FURTHER ORDERED** an appearance bond is set to the sum of NO BOND.

**IT IS FURTHER ORDERED** that a Preliminary Hearing date is scheduled for July 5, 2017 at 9:15 a.m. in Courtroom #410 on the 4<sup>th</sup> floor of the Hall of Justice and the Defendant is ordered to be present at the hearing.

DATED this 27<sup>th</sup> day of June, 2017.

BY THE COURT:

  
Honorable Horacio J. Wheelock  
District Court Judge

Cc Michael Jensen, Esq.  
Sean Lavery, Esq.  
Todd Lancaster, Esq.  
Jason Troia, Esq.  
Sean Conway, Esq.  
Thomas Riley, Esq.