
No.

IN THE

SUPREME COURT OF THE UNITED STATES

COLIN MICHAEL,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

ON PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF
APPEALS FOR THE EIGHTH CIRCUIT

MOTION FOR LEAVE TO PROCEED
IN FORMA PAUPERIS

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Attorney for Petitioner

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COMES NOW Petitioner, Colin Michael, by his attorney, Rebecca Kurz, Assistant Federal Public Defender, Western District of Missouri, and moves this Court, pursuant to 28 U.S.C. §1915, 18 U.S.C. § 3006A(d)(6) and Sup. Ct. R. 39.1 and .2, for leave to file a petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit without prepayment of docket or other fees, and to proceed In Forma Pauperis. The petition accompanies this motion.

United States Magistrate Judge John T. Maughmer appointed the Federal Public Defender Office to represent Mr. Michael for his revocation of supervised release, pursuant to the Criminal Justice Act on September 11, 2017. Mr. Michael's supervised release was revoked October 26, 2017 by Hon. Roseann Ketchmark. He was sentenced to 96 months imprisonment, followed by a supervised release term of Life. Mr. Michael filed his Notice of Appeal October 27, 2019. His case was remanded by the Eighth Circuit Court of Appeals for re-sentencing. His was re-sentenced

by Judge Ketchmark to 96 months imprisonment followed by 5 years of supervised release on April 24, 2019. He filed his Notice of Appeal April 29, 2019. This sentence was affirmed by the Eighth Circuit September 13, 2021. His Petition for Rehearing was denied October 21, 2021. On both appeals the Federal Defender continued to represent Mr. Michael without payment of fees or costs or security and without filing the affidavit required by 28 U.S.C. § 1915(a), all pursuant to 18 U.S.C. § 3006A(d)(6).

Because both the United States District Court for the Western District of Missouri and the United States Court of Appeals for the Eighth Circuit permitted Mr. Michael to proceed In Forma Pauperis and appointed counsel for him, no affidavit in support of this Motion to Proceed In Forma Pauperis in this Court is required. 18 U.S.C. § 3006A(d)(6) and Sup. Ct. R. 39.1.

s/Rebecca Kurz
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