

ORIGINAL

21-7038
No.

Supreme Court of the United States

FILED
JAN 25 2022
OFFICE OF THE CLERK
SUPREME COURT, U.S.

JEREMY LILLICH,

Petitioner,

vs.

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**

COMES NOW PETITIONER JEREMY LILLICH and respectfully moves this
Honorable Court for leave to proceed in forma pauperis, in accordance with the provisions of
Title 28, United States Code, Section 1915, and Rule 39 of the Rules of this Court.

The affidavit of Jeremy Lillich in support of this motion is attached hereto.

Mr. Lillich sought leave to proceed in forma pauperis in the court below.

Mr. Lillich was granted leave to proceed in forma pauperis in the court below.

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SUPREME COURT, U.S.

The statute under which Mr. Lillich was appointed counsel by the Northern District of Iowa / Court of Appeals for the Eighth Circuit was the Criminal Justice Act of 1964, 18 U. S. C. § 3006A. Therefore, in reliance upon Supreme Court Rule 39.1 and 18 U.S.C. § 3006A(d)(7), petitioner has *not* attached the affidavit which would otherwise be required.**

Presented herewith is Mr. Lillich's Petition for Writ of Certiorari to the Court of Appeals for the Eighth Circuit.

Jeremy Lillich
Petitioner
17968-029
P.O. Box 5000
Greenville, IL 62246

Date: _____

** Supreme Court Rule 39.1 provides:

A party seeking to proceed in forma pauperis shall file a motion for leave to do so, together with the party's notarized affidavit or declaration (in compliance with 28 U.S.C. § 1746) in the form prescribed by the Federal Rules of Appellate Procedure, Form 4. The motion shall state whether leave to proceed in forma pauperis was sought in any other court and, if so, whether leave was granted. *If the United States district court or the United States court of appeals has appointed counsel under the Criminal Justice Act of 1964, 18 U.S.C. § 3006A, or under any other applicable federal statute, no affidavit or declaration is required, but the motion shall cite the statute under which counsel was appointed.*" *Id.* (As Amended Jan. 27, 2003, eff. May 1, 2003.) (emphasis added)

18 U.S.C. § 3006A(d)(7) provides:

(7) Proceedings before appellate courts. If a person for whom counsel is appointed under this section appeals to an appellate court or petitions for a writ of certiorari, he may do so without prepayment of fees and costs or security therefor and *without filing the affidavit required by section 1915(a) of title 28.* *Id* (emphasis added)

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 20-2086

United States of America

Appellee

v.

Jeremy William Lillich

Appellant

Appeal from U.S. District Court for the Northern District of Iowa - Western
(5:19-cr-04022-LTS-2)

ORDER

Attorney Christopher James Roth is hereby appointed to represent appellant in this appeal under the Criminal Justice Act. Information regarding the CJA appointment and voucherizing process in eVoucher will be emailed to counsel shortly.

June 01, 2020

Order Entered under Rule 27A(a):
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans