

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

JOSEPH ELLIOTT,

Petitioner,

v.

SECRETARY PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL.,

Respondents.

On Petition for a Writ of Certiorari to the
United States Court of Appeals for the Third Circuit

MOTION FOR LEAVE TO FILE IN FORMA PAUPERIS

Petitioner Joseph Elliott, through undersigned counsel, moves pursuant to Supreme Court Rule 39.1 for leave to proceed in forma pauperis in his concurrently filed Petition for Writ of Certiorari. Mr. Elliott is indigent; he has sought and been appointed counsel throughout the proceedings below.

Mr. Elliott moved for the appointment of counsel in the United States District Court for the Eastern District of Pennsylvania and the District Court appointed the Federal Community Defender Office for the Eastern District of Pennsylvania (“FCDO”) on May 4, 2016. *See* Attachment 1 (E.D. Pa. Appointment Order). The United States Court of Appeals for the Third Circuit likewise appointed

the FCDO to represent Mr. Elliott on appeal pursuant to 18 U.S.C. § 3006A(a) after determining that he was “financially unable to obtain representation by counsel.”

See Attachment 2 (3d Cir. Appointment Order).

Undersigned counsel hereby certify that Mr. Elliott is incarcerated and remains indigent at present. Mr. Elliott respectfully requests that this Court allow him to proceed in forma pauperis.

/s/ Stuart Brian Lev

STUART LEV

Counsel of Record

AREN ADJOIAN

ALI NATHANIEL WRIGHT

Federal Community Defender Office

for the Eastern District of Pennsylvania

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Counsel for Petitioner Joseph Elliott

March 9, 2022

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOSEPH ELLIOT,	:	
Petitioner,	:	Civil Action
	:	No. 16 - 2076
v.	:	(habeas corpus)
	:	
JOHN WETZEL, et al.,	:	Judge <u>McHugh</u>
Respondent.	:	

FILED

MAY - 4 2016

ORDER

MICHAEL E. KUNZ, Clerk
By _____ Dep Clerk

AND NOW, this 4th day of May, upon consideration of Petitioner's Motion for Appointment of Counsel, it is hereby ORDERED that Petitioner's motion is GRANTED. The Federal Community Defender for the Eastern District of Pennsylvania is appointed counsel for Petitioner.

BY THE COURT:


United States District Court Judge

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 21-1753

Joseph Elliott v. Secretary PA Dept Corrections, et al

(U.S. District Court No.: 2-16-cv-02076)

ORDER

It appearing that Joseph Elliott having satisfied the Court that he/she is financially unable to obtain representation by counsel, it is

ORDERED that the Federal Community Defender Organization for the Eastern District of Pennsylvania is hereby appointed pursuant to 18 U.S.C. Section 3006A(a) to represent Joseph Elliott in the above-captioned matter. This appointment will remain in effect until termination of this case or substitute counsel is appointed.

For the Court,

s/ Patricia S. Dodszuweit
Clerk

Dated: April 19, 2021
AMR/cc: Aren K. Adjoian, Esq.
Ronald Eisenberg, Esq.
Michael R. Scalera, Esq.
Matthew Stiegler, Esq.