

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

EDWARD TOLIVER,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

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

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

NOW COMES Petitioner Edward Toliver, through undersigned counsel, who moves this Honorable Court for leave to proceed *in forma pauperis* and to file the attached Petition for Writ of Certiorari without prepayment of costs, pursuant to Supreme Court Rule 39 and 18 U.S.C. § 3006A(d)(7). A United States District Judge for the Eastern District of Louisiana declared Mr. Toliver indigent and appointed the Federal Public Defender to represent him. *United States v. Toliver*, No. 2:19-cr-00150, Dkt. 28, (E.D. La. Sept. 17, 2019) (attached hereto).

WHEREFORE, Petitioner respectfully moves this Honorable Court for leave to proceed *in forma pauperis* and to file the attached Petition for Writ of Certiorari without prepayment of costs.

Respectfully submitted this 22nd day of June, 2022.

/s/ Samantha Kuhn
SAMANTHA J. KUHN
Assistant Federal Public Defender
Counsel of Record
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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

CR.NO. 19-150 R

VERSUS

ORDER

 X Appointing Counsel
Substituting Counsel For:

EDWARD TOLIVER

 Ratifying Prior Service

 Extending Appointment For Appeal

CHARGES: CONSPIRACY TO COMMIT BANK FRAUD, CONSPIRACY TO COMMIT
ACCESS DEVICE FRAUD, CONSPIRACY TO STRUCTURE FINANCIAL TRANSACTIONS
TO AVOID REPORTING REQUIREMENTS, ACCESS DEVICE FRAUD AND
STRUCTURING OF FINANCIAL TRANSACTIONS

 X FELONY MISDEMEANOR

 X The defendant, having satisfied this Court that he/she: (1) is financially unable to employ counsel, and
(2) does not wish to waive counsel, and because the interests of justice so require, the Federal Public
Defender named below is hereby appointed to represent this defendant in the above designated case until
relieved by order of the District Court:

**CLAUDE KELLY, FEDERAL PUBLIC DEFENDER, HALE BOGGS FEDERAL BLDG.,
RM 318, 500 CAMP ST, NEW ORLEANS, LA 70130 PHONE: (504)589-7930**

 Federal Public Defender is appointed for the limited purpose of:

 It appearing to the Court that although the defendant is financially unable to employ counsel, he/she is
totally indigent.

 IT IS FURTHER ORDERED that the defendant pay to the Clerk, U. S. District Court for services of
counsel, the total amount of \$ to be paid within 10 working days
or by .

 IT IS FURTHER ORDERED that the defendant is to pay to the Clerk, U.S. District Court, for services
of counsel, \$ per month. This amount is to be paid, beginning on , 20 ,
until further orders of the Court.

Dated at New Orleans, Louisiana, on SEPTEMBER 17, 2019



UNITED STATES MAGISTRATE JUDGE

Copy to Financial Unit Clerk (*Only if defendant is ordered to pay*)