

OCTOBER TERM 2021
No. _____

IN THE SUPREME COURT OF THE UNITED STATES

**CHADRICK FULKS,
Petitioner,**

v.

**T.J. WATSON, Warden, USP-Terre Haute, and United States of America,
Respondents.**

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

MOTION FOR LEAVE TO FILE IN FORMA PAUPERIS

--- CAPITAL CASE ---

Petitioner Chadrick Fulks, 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. Petitioner is indigent: he has been granted appointed counsel throughout the proceedings below.

On February 1, 2016, the United States District Court for the Southern District of Indiana appointed counsel from the Federal Community Defender Office for the Eastern District of Pennsylvania (FCDO) to represent Petitioner in connection with the proceedings held pursuant to 28 U.S.C. § 2241. FCDO counsel, including the

undersigned, also represented Petitioner on appeal following the § 2241 proceedings before the United States Court of Appeals for the Seventh Circuit, which led to the concurrently-filed Petition for Writ of Certiorari. A copy of the appointment order for Petitioner's § 2241 proceedings is attached as Exhibit A.

Counsel from the FCDO were originally appointed to represent Petitioner in proceedings held pursuant to 28 U.S.C. § 2255 in *United States v. Fulks*, No. 02-cr-00992 (D.S.C.) on September 3, 2010, which was shortly after his § 2255 motion was denied. The FCDO's representation of Mr. Fulks continued into the appeal that followed the denial of his § 2255 motion, the petition for writ of certiorari that was filed before this Court in connection with those proceedings, and the filing of a successive § 2255 motion that is currently pending in the District of South Carolina. Copies of the appointment orders issued in connection with Petitioner's § 2255 proceedings are attached as Exhibit B.

Undersigned counsel hereby certifies that Mr. Fulks is incarcerated and remains indigent. Petitioner respectfully requests that this Court allow him to proceed in forma pauperis.

Respectfully submitted,

/s/ Peter Williams

Peter Williams*

Federal Community Defender Office

for the Eastern District of Pennsylvania

601 Walnut Street, Suite 545 West

Philadelphia, PA 19106

(215) 928-0520

pete_williams@fd.org

**Counsel of Record for Petitioner and
Member of the Bar of the Supreme Court*

Dated: August 8, 2022

EXHIBIT A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

CHADRICK EVAN FULKS,)	
)	
Petitioner,)	
)	
vs.)	No. 2:15-cv-33-WTL-MJD
)	
L. LaRIVA, Acting Warden,)	
)	
Respondent.)	

Entry Discussing Selected Matters

I.

The petitioner’s motion for enlargement of time [dkt 19] is **granted**. The petitioner shall have **through March 31, 2016** in which reply to the respondent’s return to order to show cause.

II.

The petitioner’s motion for appointment of counsel [dkt 20] is **granted as follows**: The Federal Community Defender’s Office for the eastern District of Pennsylvania is **appointed** to represent the petitioner. This representation shall be furnished without additional compensation pursuant to 18 U.S.C. § 3006A or other applicable statute.

IT IS SO ORDERED.

Date: 2/1/16



Hon. William T. Lawrence, Judge
United States District Court
Southern District of Indiana

Distribution:

Electronically Registered Counsel

CHADRICK FULKS
11617-074
TERRE HAUTE U.S. PENITENTIARY
Inmate Mail/Parcels
P.O. BOX 33
TERRE HAUTE, IN 47808

EXHIBIT B

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Chadrick Evans Fulks,)	C/A No.: 4:08-70072-JFA
)	CR No.: 4:02-992-JFA
Petitioner,)	
)	
v.)	ORDER
)	
United States of America,)	
)	
Respondent.)	
_____)	

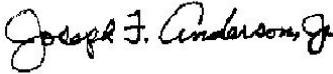
This matter is before the court upon petitioner’s motion to permit one of his attorneys, Beattie B. Ashmore, to withdraw as counsel of record and appoint in his place Billy H. Nolas, Senior Litigator of the Capital Habeas Unit of the Federal Community Defender for the Eastern District of Pennsylvania. Petitioner notes that co-counsel, Kirsten E. Small, will continue her representation of the petitioner.

For good cause shown, the court will grant the motion and allow Mr. Ashmore to be immediately removed as counsel of record in this case.

The court will permit Mr. Nolas to appear pro hac vice in this district and the \$250 filing fee is hereby waived.

IT IS SO ORDERED.

September 3, 2010
Columbia, South Carolina


Joseph F. Anderson, Jr.
United States District Judge

FILED: March 7, 2011

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-3
(4:02-cr-00992-JFA-1)
(4:08-cv-70072-JFA)

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

CHADRICK EVAN FULKS

Defendant - Appellant

O R D E R

The Court appoints the Federal Defender for the District of Pennsylvania at Philadelphia as co-counsel to represent Chadrick Evan Fulks on appeal.

For the Court--By Direction
/s/ Patricia S. Connor, Clerk