

No. 23-5288

Supreme Court, U.S.
FILED

MAR 01 2023

OFFICE OF THE CLERK

IN THE
SUPREME COURT OF THE UNITED STATES

Jay Hymas — PETITIONER
(Your Name)

VS.

U.S. Dept. of Interior — RESPONDENT(S)

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Please check the appropriate boxes:

☒ Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

U.S. District Court Eastern District of Washington

☐ Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

☐ Petitioner's affidavit or declaration in support of this motion is attached hereto.

☒ Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

☐ The appointment was made under the following provision of law: _____

_____, or

☒ a copy of the order of appointment is appended.

ORIGINAL

Jay Hymas
(Signature)

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Mar 25, 2020

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JAY HYMAS, doing business as
Dosmen Farms

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
INTERIOR, I to X DOES, DAVID L.
BERNHARDT, Secretary of the United
States Department of Interior, and
AURELIA SKIPWITH, Director of the
United States Fish and Wildlife Service,

Defendants.

No. 4:16-CV-05091-SMJ

**ORDER GRANTING PLAINTIFF'S
EX PARTE MOTION FOR PRO
BONO COUNSEL AND
REQUESTING
RECOMMENDATION FOR
APPOINTMENT OF *PRO BONO*
COUNSEL**


Before the Court, without oral argument, is Plaintiff's *Ex Parte* Motion for Pro Bono Counsel, ECF No. 147. Because Plaintiff Jay Hymas d/b/a Dosmen Farms is proceeding *in forma pauperis*, and his case was reversed and remanded to the District Court by the U.S. Court of Appeals, ECF No. 139, Plaintiff's *Ex Parte* Motion for Pro Bono Counsel, **ECF No. 147**, is **GRANTED**. The Court finds this matter is appropriate for appointment of *pro bono* counsel under General Order 16-114-1. Accordingly, the Court requests the Federal Bar Association for the Eastern District of Washington (1) select from its *Pro Bono* Panel of Attorneys

ORDER REQUESTING RECOMMENDATION FOR APPOINTMENT OF *PRO BONO* COUNSEL - 1

1 **at least two attorneys** it recommends the Court consider appointing to represent
2 Plaintiff in this case, and (2) communicate the names of those attorneys to the Court
3 **no later than April 30, 2020**. The Court's February 25, 2020 scheduling order,
4 ECF No. 145, remains in effect and all parties are expected to comply with the
5 deadlines set forth therein.

6 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and
7 provide copies to *pro se* Plaintiff and counsel for defendants. The Clerk's Office is
8 further directed to contact the President of the Federal Bar Association for the
9 Eastern District of Washington, alert the President of the Court's request, and
10 provide the President a copy of this Order.

11 **DATED** this 25th day of March 2020.

12 
13 SALVADOR MENDEZ, JR.
United States District Judge