

No. _____

**IN THE SUPREME COURT OF THE
UNITED STATES OF AMERICA**

October Term, 2023

**CARLOS EDWIN SMITH, JR.,
*Petitioner,***

v.

**UNITED STATES OF AMERICA,
*Respondent.***

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Pursuant to Rule 39 of the Rules of this Court, motion is hereby made that Petitioner, Carlos Edwin Smith, Jr., be allowed to proceed *in forma pauperis*. Counsel for Petitioner was appointed by the United States Court of Appeals for the Fourth Circuit under the Criminal Justice Act of 1964 in the proceedings below. A copy of that appointment is attached to this Motion for Leave to Proceed *in Forma Pauperis*. Petitioner was found to be indigent in the lower court proceedings.

This the 8th day of August 2023.

/s/ John D. Bryson

John D. Bryson

WYATT EARLY HARRIS WHEELER LLP

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Counsel of Record for Petitioner

FILED: September 6, 2022

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 22-4505
(1:21-cr-00195-WO-1)

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

CARLOS EDWIN SMITH, JR.

Defendant - Appellant

O R D E R

The court appoints John David Bryson to represent Carlos Edwin Smith Jr. Counsel is referred to the CJA Payment Memorandum and the CJA eVoucher Page for information on appointment terms and procedures.

If preparation of transcript is necessary, CJA authorization for preparation of transcript is obtained by submitting an AUTH-24 request in the district eVoucher system. New appellate counsel must contact district eVoucher staff for appointment to the underlying district court case in order to submit the AUTH-24 request for district judge approval and the CJA 24 voucher for transcript payment.

Counsel must also submit a Transcript Order Form to the court reporter and district court and file the same in the court of appeals with the docketing statement. Upon filing of the Transcript Order Form, the Fourth Circuit will set deadlines for completion of the transcript.

CJA 20 and 21 vouchers are submitted for payment through the Fourth Circuit's CJA eVoucher system. Upon receiving email notification of this appointment from eVoucher, counsel may create CJA 20 and 21 vouchers for use in maintaining time and expense records and paying for expert services.

All case filings must be made using the court's Electronic Case Filing system (CM/ECF). Counsel not yet registered for electronic filing should proceed to the court's web site to register as an ECF filer. See Required Steps for Registration as an ECF Filer.

For the Court--By Direction

/s/ Patricia S. Connor, Clerk