

Supreme Court of the United States

LUIS ALBERTO MARCANO-GODOY,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

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

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Pursuant to Supreme Court Rule 39, the Petitioner, Luis Alberto Marcano-Godoy, by and through his court-appointed attorneys, request that the Court grant him leave to proceed in forma pauperis. In support of this Motion, the Petitioner avers that:

- I. Petitioner is unable to afford the cost of representation in this matter.
- II. Petitioner proceeded below in the district court and on appeal

with court appointed counsel appointed pursuant to 18 U.S.C. §3006A. See: Exhibit A - Docket entries on 9/4/2019 (DE 55) and 10/22/2019.

III. Because of his continuing inability to afford counsel, and pursuant to 18 U.S.C. § 3006A, undersigned counsel represents the Petitioner in his petition before this Court.

WHEREFORE, the petitioner, Luis Alberto Marcano-Godoy, by and through undersigned counsel, respectfully requests that he be allowed to proceed in forma pauperis.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 15th of November 2023.

S/ Javier A. Morales-Ramos
Javier A. Morales-Ramos
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Counsel For Petitioner Luis Alberto Marcano-Godoy

08/30/2019	51	MOTION in Compliance with <i>Order at Docket 50</i> as to Jesus Salvador Gonzalez-Lunar. Responses due by 9/13/2019. NOTE: Pursuant to FRCP 6(a) an additional three days does not apply to service done electronically. (McCutcheon, Andrew) Modified to remove unrelated defendants on 9/4/2019 (idg). (Entered: 08/30/2019)
08/30/2019		NOTICE of Docket Text Modification by Deputy Clerk re: 51 MOTION in Compliance with <i>Order at Docket 50</i> . ***MODIFIED to delete relationship as to defendants #2-9 since motion is related ONLY as to defendant #1. Counsel shall select ONLY the defendant(s) related to the motion when filing future documents*** (idg) (Entered: 09/04/2019)
09/03/2019	52	MOTION to Withdraw as Attorney <i>and leave to submit e-voucher for hours worked</i> by Juan A. Albino Gonzalez as to Luis Alberto Marcano-Godoy. Responses due by 9/17/2019. NOTE: Pursuant to FRCP 6(a) an additional three days does not apply to service done electronically. (Albino-Gonzalez, Juan) Modified to remove unrelated defendants on 9/4/2019 (idg). (Entered: 09/03/2019)
09/03/2019		NOTICE of Docket Text Modification by Deputy Clerk re: 52 MOTION to Withdraw as Attorney <i>and leave to submit e-voucher for hours worked</i> by Juan A. Albino Gonzalez. ***MODIFIED to delete relationship as to defendants #1-5, 7-9 since motion is related ONLY as to defendant #6. Counsel shall select ONLY the defendant(s) related to the motion when filing future documents*** (idg) (Entered: 09/04/2019)
09/04/2019	53	ORDER. The 51 Motion in Compliance filed by defendant Jesus Salvador Gonzalez-Lunar (1) is NOTED. Accordingly, new schedule entered as to ALL DEFENDANTS. COP Motions due by 10/21/2019. Status Conference set for 10/29/2019 at 2:45 PM in CC's Chambers. Jury Trial set, within speedy trial constraints, for 11/5/2019 at 2:00 PM in Courtroom 4. Signed by Judge Carmen C. Cerezo on 9/4/2019. (nat) (Entered: 09/04/2019)
09/04/2019	55	ORDER. The 52 Motion to Withdraw as Attorney filed by Juan A. Albino-Gonzalez as to Luis Alberto Marcano-Godoy (6) is GRANTED. Accordingly, Juan A. Albino-Gonzalez withdrawn from case. Clerk to randomly designate new CJA attorney to defendant, who shall make an appearance within three calendar days after notice of this Order. Signed by Judge Carmen C. Cerezo on 9/4/2019. (nat) (Entered: 09/04/2019)
10/22/2019	63	ORDER as to Jesus Salvador Gonzalez-Lunar (1), Carlos Jose Requena-Lugo (2), Luis Del-Valle-Sanchez (4), Eribel Merardo Guilarte-Careno (5), Luis Alberto Marcano-Godoy (6), Felipe Jose Rodriguez-Gutierrez (7), Yoniel Enrique Campos-Fernandez (8), Jesus Del Valle Gonzalez-Rodriguez (9). Having considered the 57 , 58 , and 60 Motions for Extension of Time filed by defendants Jesus Salvador Gonzalez-Lunar (1), Enrique Campos-Fernandez (8), and Jesus Del Valle Gonzalez-Rodriguez (9), the same are GRANTED. Accordingly, all pretrial or COP motions due by 12/6/2019 . Status Conference is RESET for 12/9/2019 at 3:00 PM in CC's Chambers. Jury Trial is RESET for 12/13/2019 at 2:30 PM in Courtroom 4. Signed by Judge Carmen C. Cerezo on 10/22/2019. (nat) (Entered: 10/22/2019)
10/22/2019		CJA 20 as to Luis Alberto Marcano-Godoy (6): Appointment of Attorney Javier A. Morales-Ramos for Luis Alberto Marcano-Godoy. Signed by Judge Carmen C. Cerezo on 10/22/2019. (nat) (Entered: 10/22/2019)

Exhibit A(1)

CJA eVoucher - prx_prod Notifying Counsel of Appointment

From: evoucher-err@prd.uscourts.gov
To: jamprlaw@yahoo.com
Date: Tuesday, October 22, 2019 at 01:16 PM GMT-4

To: Javier Morales-Ramos,

Date: 10/22/2019 10:16:24 AM.

This is to inform you that the Puerto Rico District Court has appointed you to represent Luis Alberto Marcano-Godoy in case USA v. Gonzalez-Lunar et al 3:19-CR-00150 before this court.

You may access this appointment via the CJA eVoucher program at https://evadweb.ev.uscourts.gov/CJA_prx_prod/CJAeVoucher.

Regards,
Puerto Rico District Court

The information in this e-mail and in any attachment may contain information which is privileged. It is intended only for the attention and use of the named recipient. If you are not the intended recipient, you are not authorized to retain, disclose, copy or distribute the message and/or any of its attachments. If you received this e-mail in error, please notify the sender and delete this message. Thank you.

The US Courts.

Exhibit A(2)

United States Court of Appeals For the First Circuit

No. 21-1485

UNITED STATES,

Appellee,

v.

LUIS ALBERTO MARCANO-GODOY,

Defendant - Appellant.

ORDER OF COURT

Entered: July 12, 2021
Pursuant to 1st Cir. R. 27.0(d)

Appellant's request for appointment of counsel on appeal is granted. Attorney Javier A. Morales-Ramos is appointed as counsel for defendant-appellant under the guidelines of the Criminal Justice Act, 18 U.S.C. § 3006A nunc pro tunc to June 7, 2021.

By the Court:

Maria R. Hamilton, Clerk

cc:

Max J. Perez-Bouret
Jose Capo-Iriarte
Mariana E. Bauza Almonte
John P. Hutchins III
Javier A. Morales-Ramos
Luis Alberto Marcano-Godoy