

No. _____

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

DARRIUS DECNAN REDD,

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.

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*. Petitioner has been incarcerated since January 23, 2021. Counsel has been court-appointed to represent Petitioner for his appellate proceedings under the Criminal Justice Act, 18 USC §3006A. Petitioner has previously been found indigent by the Southern District of Iowa and the Eighth Circuit Court of Appeals. Leave to proceed *in forma pauperis* has not previously been sought. Petitioner's 2019 Financial Affidavit and prior Orders finding him indigent are attached in support of this motion. Petitioner will supplement a more recent Financial Affidavit if necessary.

**PARRISH KRUIDENIER DUNN GENTRY
BROWN BERGMANN & MESSAMER, L.L.P.**

By: /s/ *Gina Messamer*
Gina Messamer AT0011823
2910 Grand Avenue
Des Moines, Iowa 50312
Telephone: (515) 284-5737
Facsimile: (515) 284-1704
Email: gmessamer@parrishlaw.com

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 22-1676

United States of America

Appellee

v.

Darrius Decnan Redd

Appellant

Appeal from U.S. District Court for the Southern District of Iowa - Central
(4:20-cr-00156-RGE-1)

ORDER

Attorney Gina Messamer is hereby appointed to represent appellant in this appeal under the Criminal Justice Act. Information regarding the CJA appointment and vouchering process in eVoucher will be emailed to counsel shortly.

March 31, 2022

Order Entered under Rule 27A(a):
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans

**United States District Court
Southern District of Iowa**

United States of America)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:20-cr-00156-RGE-HCA-1
)	
Darrius Decnan Redd)	<input type="checkbox"/> <i>[Check if Federal Public Defender is</i>
,)	<i>appearing only for arraignment or</i>
)	<i>initial appearance]</i>
Defendant.)	

ORDER APPOINTING COUNSEL

The Court finds that the Defendant qualifies for appointment of counsel under the Criminal Justice Act, 18 USC §3006A, and the Criminal Justice Act Plan for the Southern District of Iowa. A CJA Form 23 Financial Affidavit shall be filed within five days of this Order.

It is ORDERED that Federal Defender's Office, or substitute counsel designated pursuant to the CJA Plan, is appointed to represent Defendant for all proceedings, including appeal. The Court may require Defendant to make full or partial repayment of attorney and witness fees, should it find that the Defendant has the ability to make such payment.

Date: February 3, 2021



Judge's signature

Celeste F. Bremer, U.S. Magistrate Judge

Printed name and title

CJA 23
(Rev. 11/11)**FINANCIAL AFFIDAVIT**

IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT, OR OTHER SERVICES WITHOUT PAYMENT OF FEE

IN THE UNITED STATES ☒ DISTRICT COURT ☐ COURT OF APPEALS ☐ OTHER (Specify below)
IN THE CASE OF

USA

v.

Redd

FOR

Southern District of Iowa

AT

Des Moines

LOCATION NUMBER

PERSON REPRESENTED (Show your full name)
Darius Decnan Redd

- 1 ☒ Defendant - Adult
 2 ☐ Defendant - Juvenile
 3 ☐ Appellant
 4 ☐ Probation Violator
 5 ☐ Supervised Release Violator
 6 ☐ Habeas Petitioner
 7 ☐ 2255 Petitioner
 8 ☐ Material Witness
 9 ☐ Other (Specify)

DOCKET NUMBERS

Magistrate Judge

District Court
4:20-cr-00156

Court of Appeals

CHARGE/OFFENSE (describe if applicable & check box -)
 SEX TRAFFICKING OF CHILDREN OR BY FORCE, FRAUD OR COERCION 18 USC (a)(1), 1591(b)(1)
 Sex Trafficking of Victim 1 by Force, Fraud, and Coercion
 (1) RACKETEERING - PROSTITUTION, 18 USC (a)(5)(A) Travel Act - Facilitate Prostitution
 (2) CONTROLLED SUBSTANCE - SELL, DISTRIBUTE, OR DISPENSE 21 USC (a)(1), 855 Distribution to Person Under Age Twenty-One
 (3)

- ☒ Felony
☐ Misdemeanor

ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY

INCOME & ASSETS	EMPLOYMENT	Are you now employed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Self-Employed Name and address of employer _____ IF YES, how much do you earn per month? \$ _____ IF NO, give month and year of last employment? <u>1/2021</u> How much did you earn per month? \$ <u>2800.00</u>							
		If married, is your spouse employed? <input type="checkbox"/> Yes <input type="checkbox"/> No IF YES, how much does your spouse earn per month? \$ _____ If you are a minor under age 21, what is the approximate monthly income of your parent(s) or guardian(s)? \$ _____							
	OTHER INCOME	Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No RECEIVED SOURCES IF YES, give the amount \$ _____ received and identify the \$ _____ sources \$ _____							
	CASH	Do you have any cash on hand or money in savings or checking accounts? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No IF YES, total amount? \$ <u>1200</u>							
PROPERTY	Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No IF YES, give value and description for each <table border="1"> <thead> <tr> <th>VALUE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>\$ <u>7500</u></td> <td><u>Chrysler 300 (2005)</u></td> </tr> <tr> <td>\$ _____</td> <td>_____</td> </tr> <tr> <td>\$ _____</td> <td>_____</td> </tr> </tbody> </table>	VALUE	DESCRIPTION	\$ <u>7500</u>	<u>Chrysler 300 (2005)</u>	\$ _____	_____	\$ _____	_____
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\$ <u>7500</u>	<u>Chrysler 300 (2005)</u>								
\$ _____	_____								
\$ _____	_____								

OBLIGATIONS & DEBTS	DEPENDENTS	MARITAL STATUS <input checked="" type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Widowed <input type="checkbox"/> Separated or Divorced Total No of Dependents <u>2</u> List persons you actually support and your relationship to them <u>Malahah Jordan - 11 y/o daughter</u> <u>Talceyah Redd - 7 y/o daughter</u>														
	DEBTS & MONTHLY BILLS (Rent, utilities, loans, charge accounts, etc.)	<table border="1"> <thead> <tr> <th>DESCRIPTION</th> <th>TOTAL DEBT</th> <th>MONTHLY PAYMENT</th> </tr> </thead> <tbody> <tr> <td><u>Credit Builder Loan</u></td> <td>\$ _____</td> <td>\$ <u>300.00</u></td> </tr> <tr> <td><u>Car Payment</u></td> <td>\$ <u>2500.00</u></td> <td>\$ <u>300.00</u></td> </tr> <tr> <td><u>Rent</u></td> <td>\$ _____</td> <td>\$ <u>500.00</u></td> </tr> <tr> <td><u>Utilities</u></td> <td>\$ _____</td> <td>\$ <u>200.00</u></td> </tr> </tbody> </table>	DESCRIPTION	TOTAL DEBT	MONTHLY PAYMENT	<u>Credit Builder Loan</u>	\$ _____	\$ <u>300.00</u>	<u>Car Payment</u>	\$ <u>2500.00</u>	\$ <u>300.00</u>	<u>Rent</u>	\$ _____	\$ <u>500.00</u>	<u>Utilities</u>	\$ _____
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I certify under penalty of perjury that the foregoing is true and correct.


 SIGNATURE OF DEFENDANT
 (OR PERSON REPRESENTED)

2/9/2021
 Date