

No. _____

IN THE
Supreme Court of the United States

WILLIAM HUNGERFORD,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

NOW COMES Petitioner William Hungerford, through undersigned counsel, who moves this Honorable Court for leave to proceed *in forma pauperis* and to file the attached Petition for Writ of Certiorari without prepayment of costs, pursuant to Supreme Court Rule 39 and 18 U.S.C. § 3006A(d)(7). A United States District Judge for the Eastern District of Louisiana appointed the Federal Public Defender to represent him in the proceedings below. *See United States v. Hungerford*, No. 2:18-cr-112 Dkt. No. 709 (E.D. La. Nov. 29, 2021) (attached hereto).

WHEREFORE, Petitioner respectfully moves this Honorable Court for leave to proceed in forma pauperis and to file the attached Petition for Writ of Certiorari without prepayment of costs.

Respectfully submitted this 26th day of February, 2024.

/s/ Celia C. Rhoads
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MINUTE ENTRY
CURRAULT, M.J.
NOVEMBER 29, 2021

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA

CRIMINAL ACTION

VERSUS

NO. 18-112

WILLIAM B. HUNGERFORD, JR.

SECTION: T

On referral from the U.S. District Judge (ECF No. 639), a hearing on defendant's Motion to Appoint CJA Counsel and to Withdraw Counsel (ECF No. 321) was held this date before United States Magistrate Judge Donna Phillips Currault.

PRESENT BY Matthew Payne, Asst. U.S. Attorney
VIDEO & PHONE: Edward J. Castaing, Jr. & John R. Flores, Counsel for Defendant
William B. Hungerford, Jr., Defendant (by phone)

Defendant consented to appear by telephone.

Although Defendant indicated that he had completed and mailed the application to proceed without prepayment of fees and affidavit (AO Form 240), as ordered by this Court (ECF No. 653), the court has not yet received same.

Defendant was sworn and questioned as to his financial status based on his financial affidavit dated October 26, 2021, and information provided in his Final Presentence Investigation Report (ECF No. 224, at 21-24), and he provided sworn responses regarding the information on the AO Form 240. During questioning, Defendant explained that the assets previously reported have been sold to satisfy mortgages, debts, legal fees, and other expenses. Defendant specifically confirmed that he no longer owns the property identified in his Final Presentence Investigation Report.

For reasons stated on the record,

IT IS ORDERED that the Motion to Appoint CJA Counsel and to Withdraw Counsel is **GRANTED**.

IT IS FURTHER ORDERED that Mr. Castaing be removed as counsel of record upon enrollment of CJA counsel appointed to represent the defendant in the trial proceedings and on appeal.

IT IS FURTHER ORDERED that the record be supplemented with defendant's application to proceed without prepayment of fees and affidavit (AO Form 240) upon receipt of same.

The defendant remains remanded to the custody of the U.S. Marshal.



DONNA PHILLIPS CURRAULT
UNITED STATES MAGISTRATE JUDGE

MJSTAR: 00:20
