

No. \_\_\_\_\_  
\_\_\_\_\_

IN THE  
SUPREME COURT OF THE UNITED STATES  
\_\_\_\_\_  
JACOB W. BARRON — PETITIONER  
VS.  
UNITED STATES — 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 previously been granted leave to proceed *in forma pauperis* in the following courts: *United States v. Jacob W. Barron*, 1:21-cr-00292-DCJ-JPM-1, United States District Court, Western District of Louisiana; 23-30163, United States Fifth Circuit Court of Appeals.

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: 18 U.S.C. § 3006A, a copy of the order of appointment is appended.

/s/ Douglas Lee Harville  
Douglas Lee Harville

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA DIVISION

UNITED STATES OF AMERICA

CRIMINAL ACTION 1:21-CR-00292-01

VERSUS

JUDGE JOSEPH

JACOB W BARRON

MAGISTRATE JUDGE PEREZ-MONTES

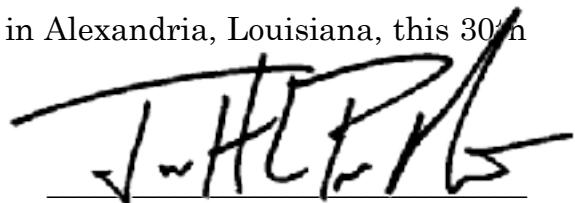
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ORDER

On the basis of the defendant's financial affidavit in this cause, the court determines that the defendant:

- is financially able to employ counsel and, therefore, denies his application for appointment of counsel at government expense.
- is financially unable to employ counsel and appoints the Office of the Federal Public Defender for the purpose of representing defendant, or, alternatively, for the purpose of recommending counsel for appointment from the CJA Panel, and as a condition of the appointment
- is ordered to pay to the Clerk of Court the monthly sum of \$\_\_\_\_.00 by the \_\_\_\_ of each month beginning \_\_\_\_\_, 2020, to help defray the payment to be made to court appointed counsel, until the conclusion of the proceedings in district court in the above-captioned case.
- is financially unable to pay the fee of any witness and, pursuant to Rule 17(b) of the Federal Rules of Criminal Procedure, the Clerk shall issue a subpoena for any witness, PROVIDED that the defendant and his counsel shall submit subpoenas only for those witnesses whose presence is necessary to present an adequate defense to the charge or charges.

THUS DONE AND SIGNED in chambers in Alexandria, Louisiana, this 30<sup>th</sup> day of December 1, 2021.



Joseph H.L. Perez-Montes  
United States Magistrate Judge

***United States Court of Appeals***  
FIFTH CIRCUIT  
OFFICE OF THE CLERK

**LYLE W. CAYCE  
CLERK**

**TEL. 504-310-7700  
600 S. MAESTRI PLACE,  
Suite 115  
NEW ORLEANS, LA 70130**

May 25, 2023

Mr. Douglas Lee Harville  
Harville Law Firm, L.L.C.  
P.O. Box 52988  
Shreveport, LA 71135

No. 23-30163 USA v. Barron  
USDC No. 1:21-CR-292-1

Dear Mr. Harville,

We have received the District Court order appointing you as counsel under the Criminal Justice Act. Information regarding your compensation and expense voucher will be provided separately. You must complete the voucher when the appeal concludes. You can obtain a copy of our Plan for Representation on Appeal Under the Criminal Justice Act, listing the duties and responsibilities of court-appointed counsel from the Fifth Circuit's website "<http://www.lb5.uscourts.gov/cja/cjaDocs/cja.pdf>".

**Please carefully read and within 15 days from this date comply with the applicable instructions stated below.**

You must complete a transcript order form, which can be obtained from the court's website [www.ca5.uscourts.gov](http://www.ca5.uscourts.gov). You are required to electronically file the form via the 5th Circuit's Electronic Document Filing System even if the form was filed with the district court, and make financial arrangements with the court reporter. When completed, this meets your obligation to order the necessary portions of the court reporter's transcript, see **FED. R. APP. P. 10(b)**. (If you are pro se and unable to afford payment, you must file a motion with the district court requesting transcript at government expense, and notify this court.) We will coordinate the transcript deadlines with the court reporter. The court reporter should contact you directly if an extension of time to file the transcript is granted. Failure to complete the transcript order form and make financial arrangements with the court reporter within 15 days will result in dismissal of the appeal in accordance with the rules.

**ATTENTION ATTORNEYS:** Direct access to the electronic record on appeal (EROA) for pending appeals will be enabled by the U S District Court on a per case basis. Counsel can expect to receive notice once access to the EROA is available. Counsel must be

approved for electronic filing and must be listed in the case as attorney of record before access will be authorized. Instructions for accessing and downloading the EROA can be found on our website at <http://www.ca5.uscourts.gov/docs/default-source/forms/instructions-for-electronic-record-download-feature-of-cm>. Additionally, a link to the instructions will be included in the notice you receive from the district court.

Sealed documents, except for the presentence investigation report in criminal appeals, will not be included in the EROA. Access to sealed documents will continue to be provided by the district court only upon the filing and granting of a motion to view same in this court.

We have removed Howard Earl Conday, Jr. from our docket as counsel for appellant. We will not send further orders, correspondence, etc. regarding this appeal.

Sincerely,

LYLE W. CAYCE, Clerk



By: Allison G. Lopez, Deputy Clerk  
504-310-7702

cc w/encl:

Mr. Howard Earl Conday Jr.  
Ms. Camille Ann Domingue