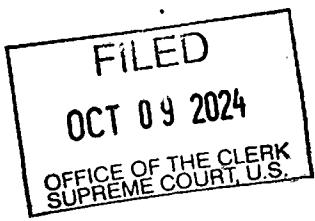


No. 24-5928



IN THE
SUPREME COURT OF THE UNITED STATES

Erick Wangikul — PETITIONER
(Your Name)

VS.

United States — RESPONDENT(S)

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*.

Please check the appropriate boxes:

Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

Court of Appeals Tenth Circuit Case No -24-6010

US District Court W.D OKLA Case No CR-23-227-R

Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

Petitioner's affidavit or declaration in support of this motion is attached hereto.

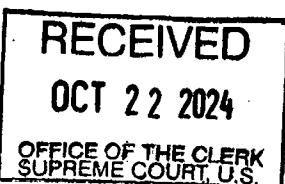
Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

The appointment was made under the following provision of law: CJA appointment, or

a copy of the order of appointment is appended.



(Signature)



FILED

United States Court of Appeal
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

February 29, 2024

Christopher M. Wolpert
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ERICK GACHUHI WANJIKU,

Defendant - Appellant.

No. 24-6010
(D.C. No. 5:23-CR-00227-R-1)
(W.D. Okla.)

ORDER

Before **HOLMES**, Chief Circuit Judge.

This matter is before the court on attorney Michael Wayne Noland's *Motion to Withdraw as CJA Appointed Representation*, in which he seeks leave to withdraw as counsel for appellant Erick Gachuhi Wanjiku and requests that the court appoint new counsel to represent Mr. Wanjiku for purposes of this appeal. The district court made the requisite finding of eligibility for the appointment of counsel pursuant to the Criminal Justice Act (CJA).

Upon consideration and as discussed in greater detail below, the court: (1) grants the motion to withdraw; and (2) appoints CJA Panel member Justin Lollman to represent Mr. Wanjiku going forward. *See* 18 U.S.C. § 3006A.

First, pursuant to the Criminal Justice Act, 18 U.S.C. § 3006A, the court appoints Mr. Noland to represent Mr. Wanjiku, effective *nunc pro tunc* to the date Mr. Wanjiku filed his notice of appeal and ending with the entry of this order. Mr. Noland shall have no continuing obligations in this appeal except to: (a) forward to substitute counsel any materials in his possession that are pertinent to this appeal, including copies of any hearing or trial exhibits; and (b) transmit a copy of this order to Mr. Wanjiku.

Second, the court appoints Mr. Lollman to represent Mr. Wanjiku going forward.

See 18 U.S.C. § 3006A. Mr. Lollman's contact information is:

Justin Lollman
GableGotwals
110 North Elgin Avenue, Suite 200
Tulsa, OK 74120-1495
Email: jlollman@gablelaw.com

On or before March 11, 2024, Mr. Lollman shall enter an appearance in this appeal on behalf of Mr. Wanjiku.

Mr. Noland filed both a transcript order form and a designation of record. If warranted, Mr. Lollman shall file—on or before March 20, 2024: (1) a supplemental transcript order form; and/or (2) a supplemental designation of record. The district court shall wait until at least March 21, 2024 before transmitting the record on appeal. Mr. Wanjiku's opening brief will be due 40 days from the date the record on appeal is filed in this court. *See* Fed. R. App. P. 31; 10th Cir. R. 11.2(A).

The court directs its Clerk to transmit a copy of this order to the Clerk of the U.S. District Court for the Western District of Oklahoma.

Entered for the Court



CHRISTOPHER M. WOLPERT, Clerk