

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

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IN THE  
Supreme Court of the United States

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SIDNEY JOSEPH,  
*Petitioner,*  
*v.*

UNITED STATES OF AMERICA,  
*Respondent.*

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**MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS**

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NOW COMES Petitioner, Sidney Joseph, through undersigned counsel, and 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). Petitioner has been found financially unable to employ counsel and was appointed counsel under the Criminal Justice Act to represent him both in the United States District Court for the Eastern District of Louisiana and on appeal to the United States Court of Appeals for the Fifth Circuit. *See United States v. Joseph*, No. 2:99-cr-238, Dkt. 6 (E.D. La. Feb. 20, 2001) and Dkt. 139 (E.D. La. Sept. 26, 2022) (attached hereto).

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

Respectfully submitted this 20th day of January, 2025.

/s/ Steven E. Spires  
STEVEN E. SPIRES  
Research and Writing Attorney  
Office of the Federal Public Defender  
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New Orleans, Louisiana 70130  
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FILED  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF LA

2001 FEB 20 AM 10:22

*Loretta G. Whyte*  
CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

CR. NO. 99-238 N

UNITED STATES OF AMERICA

) O R D E R

VERSUS

) X/ Appointing Counsel

) / Substituting Counsel For:

SIDNEY JOSEPH

) / Ratifying Prior Service

) / Extending Appointment for Appeal

CHARGE: 18:2113(a), 18:2113(d); BANK ROBBERY

XX

X Felony

Misdemeanor

The defendant, having satisfied this Court that he/she: (1) is financially unable to employ counsel, and (2) does not wish to waive counsel, and because the interests of justice so require, the Federal Public Defender named below is hereby appointed to represent this defendant in the above designated case until relieved by order of the District Court:

**VIRGINIA LAUGHLIN SCHLUETER, FEDERAL PUBLIC DEFENDER  
501 MAGAZINE STREET, ROOM 318, HALE BOGGS FEDERAL BUILDING  
NEW ORLEANS, LA 70130 PHONE: (504)589-7930**

Federal Public Defender is appointed for the limited purpose of:

It appearing to the Court that although the defendant is financially unable to employ counsel, he/she is not totally indigent.

IT IS FURTHER ORDERED that the defendant pay to the Clerk, U.S. District Court, for services of counsel, the total amount of \$ \_\_\_\_\_ to be paid within 10 working days or by \_\_\_\_\_

IT IS FURTHER ORDERED that the defendant is to pay to the Clerk, U.S. District Court, for services of counsel, \$ \_\_\_\_\_ per month. This amount is to be paid, beginning on \_\_\_\_\_, 20\_\_\_\_, until further orders of the Court.

Dated at New Orleans, Louisiana, on FEBRUARY 16, 2001.

*John M. Moore, Jr.*  
UNITED STATES MAGISTRATE JUDGE

Copy to Financial Unit-Clerk's Office (*Only if defendant is ordered to pay*)

DATE OF ENTRY
FEB 20 2001

Fee
Process
X Dated <i>7/27</i>
ctrmberp <i>60</i>
Doc. No. <i>60</i>

## FINANCIAL AFFIDAVIT

CJA 23  
(Rev. 5/98)

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

IN UNITED STATES  
IN THE CASE OF MAGISTRATE  DISTRICT  APPEALS COURT or  OTHER PANEL (Specify below)

FOR

AT

LOCATION NUMBER

PERSON REPRESENTED (Show your full name)

Sidney Joseph

CHARGE/OFFENSE (describe if applicable &amp; check box →)

 Felony  Misdemeanor

Bank Robbery

1  Defendant - Adult  
 2  Defendant - Juvenile  
 3  Appellant  
 4  Probation Violator  
 5  Parole Violator  
 6  Habeas Petitioner  
 7  2255 Petitioner  
 8  Material Witness  
 9  Other (Specify) \_\_\_\_\_

DOCKET NUMBERS

Magistrate

District Court

Court of Appeals

## ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY

EMPLOY- MENT	Are you now employed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Am Self Employed		
	Name and address of employer: <u>Never worked</u>		
	IF YES, how much do you earn per month? \$ _____		
ASSETS	IF NO, give month and year of last employment How much did you earn per month? \$ _____		
	If married is your Spouse employed? <input type="checkbox"/> Yes <input type="checkbox"/> No		
	IF YES, how much does your Spouse earn per month? \$ <u>N/A</u>		
CASH	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 _____		
PROP- ERTY	IF YES, GIVE THE AMOUNT RECEIVED & IDENTIFY \$ _____ THE SOURCES _____		
	RECEIVED & IDENTIFY \$ _____ THE SOURCES _____		
	Have you any cash on hand or money in savings or checking account <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No IF YES, state total amount \$ <u>None</u>		
OBLIGA- TIONS & DEBTS	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		
	VALUE _____		
	DESCRIPTION _____		
DEPEN- DENTS	IF YES, GIVE THE VALUE AND \$ _____ DESCRIBE IT _____		
	VALUE _____		
	DESCRIPTION _____		
DEBT & MONTHLY BILLS			
(LIST ALL CREDITORS, INCLUDING BANKS, LOAN COMPANIES CHARGE ACCOUNTS, ETC)			
APARTMENT OR HOME:	Creditors	Total Debt	Monthly Payt
_____	<u>None</u>	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____

I certify under penalty of perjury that the foregoing is true and correct. Executed on (date) 2/16/01SIGNATURE OF DEFENDANT  
(OR PERSON REPRESENTED)

→ Sidney Joseph

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

**UNITED STATES OF AMERICA**

**CRIMINAL ACTION**

**VERSUS**

**NO. 99-238**

**SIDNEY JOSEPH**

**SECTION: "E"**

**ORDER**

The Government filed a "Motion for an Order Authorizing the Bureau of Prisons to Transfer Funds Held in the Defendant's Inmate Trust Account to the Court Clerk."<sup>1</sup>

Accordingly;

The Court directs the Office of the Federal Public Defender, Eastern District of Louisiana to appoint counsel to represent the Defendant in connection with this matter.

**New Orleans, Louisiana, this 26th day of September, 2022.**

  
\_\_\_\_\_  
**SUSIE MORGAN**  
**UNITED STATES DISTRICT JUDGE**

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<sup>1</sup> R. Doc. 138.