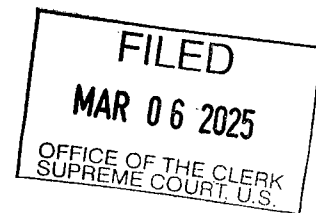


No. 24-6937



IN THE
SUPREME COURT OF THE UNITED STATES

ANTHONY WEIMER — PETITIONER
(Your Name)

VS.

STATE of MONTANA — 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):

United States District Court of Montana, Great Falls Division: CV-24-101

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

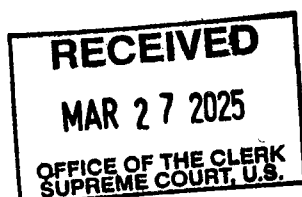
☐ Petitioner's affidavit or declaration in support of this motion is attached hereto.

☐ 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: _____

§ 46-8-103(1), Montana Code Annotated, or

☐ a copy of the order of appointment is appended.



[Signature]
(Signature)



ORIGINAL

FILED

06/01/2023

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: DA 23-0100

IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 23-0100

FILED

JUN 01 2023

Bowen Greenwood
Clerk of Supreme Court
State of Montana

STATE OF MONTANA,

Plaintiff and Appellee,

v.

ORDER

ANTHONY CRAIG WEIMER,

Defendant and Appellant.

Anthony Craig Weimer moves this Court for appointment of counsel and a sixty-day extension of time to file the opening brief. Weimer states that he is incarcerated, that he has no funds, and that he previously had a public defender to represent him in his underlying matter. This Court observes that Weimer's opening brief is due on June 19, 2023, because the transcripts have been filed, as explained in this Court's prior Order.

Weimer appeals a December 28, 2022 Amended Judgment and Sentence issued in the Eleventh Judicial District Court, Flathead County. Weimer may be entitled to appointment of counsel in this appeal. Section 46-8-103(1), MCA. Therefore,

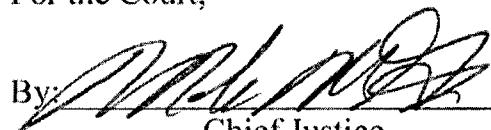
IT IS ORDERED that Weimer's Motion for Appointment of Counsel is GRANTED. The Appellate Defender Division shall have thirty days from the date of this Order within which to file either a Notice of Appearance or a Motion to Rescind this Order appointing counsel.

IT IS FURTHER ORDERED that the opening brief is DUE on or before Friday, August 18, 2023. Counsel for Weimer may seek additional extensions of time.

The Clerk of the Supreme Court is directed to provide a copy of this Order to: the Appellate Defender Division, counsel of record, and Anthony Craig Weimer personally.

DATED this 1st day of June, 2023.

For the Court,

By: 
Chief Justice