

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

FREDRICK JOHNSON — PETITIONER

VS.

USA — 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*.

Please check the appropriate boxes:

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

United States Court of Appeals for the Sixth Circuit

☐ 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: _____

_____, or
☒ a copy of the order of appointment is appended.



(Signature)

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

Deborah S. Hunt
Clerk

100 EAST FIFTH STREET, ROOM 540
POTTER STEWART U.S. COURTHOUSE
CINCINNATI, OHIO 45202-3988

Tel. (513) 564-7000
www.ca6.uscourts.gov

Filed: October 24, 2023

Mr. Andrew S. Pollis
Case Western Reserve University School of Law
Milton A. Kramer Law Clinic Center
11075 E. Boulevard
Cleveland, OH 44106

Re: Case No. 23-3535, *USA v. Fredrick Johnson*
Originating Case No. : 1:21-cr-00596-4

Dear Counsel,

This confirms your appointment to represent the defendant in the above appeal under the Criminal Justice Act, 18 U.S.C. § 3006A.

You must file your appearance form and order transcript within 14 days of this letter. The appearance form and instructions for the transcript order process can be found on this court's website. Please note that transcript ordering in CJA-eligible cases is a two-part process, requiring that you complete both the financing of the transcript (following the district court's procedures) and ordering the transcript (following the court of appeals' docketing procedures). Additional information regarding the special requirements of financing and ordering transcripts in CJA cases can be found on this court's website at <http://www.ca6.uscourts.gov/criminal-justice-act> under "Guidelines for Transcripts in CJA Cases."

Under § 230.66.40(a) of the *Guide*, "the expense of specialized typesetting, layout, or binding of appellate or other legal briefs (including Supreme Court booklets) exceeding requirements for individuals represented under the CJA, regardless of the printing method utilized, is **not** reimbursable." (emphasis added) "The reasonable cost of laser printing, photocopying, or similar duplication expenses is," however, "reimbursable." *Id.* § 230.66.40(b).

The Supreme Court does not require the special booklet format when a petitioner is proceeding IFP. *See* S. Ct. R. 39.3. Instead, counsel may print their petition on 8.5x11 paper, stapling in the top-left corner, and must mail an original and ten copies of the cert. petition and appendix. *See Guide to Filing IFP Cases*; S. Ct. R. 33.2. Expenses above the costs for production consistent with S. Ct. R. 39.3 will not be reimbursed.

Following this letter, you will receive a notice of your appointment in the eVoucher system. That will enable you to log into the eVoucher system and track your time and expenses in that system. To receive payment for your services at the close of the case you will submit your voucher electronically via eVoucher. Instructions for using eVoucher can be found on this court's website. Your voucher must be submitted electronically no later than 45 days after the final disposition of the appeal. *No further notice will be provided that a voucher is due.* Questions regarding your voucher may be directed to the Clerk's Office at 513-564-7041.

Finally, if you become aware that your client has financial resources not previously disclosed or is no longer eligible for appointed counsel under the Criminal Justice Act, please contact the Clerk or Chief Deputy for guidance.

Sincerely yours,

s/Ken Loomis
Administrative Deputy
Direct Dial No. 513-564-7067

cc: Mr. Fredrick Johnson
Ms. Jennifer Jolene King
Ms. Sandy Opacich
Ms. Virginia Lee Padgett
Mr. Daniel R. Ranke