

IN THE SUPREME COURT OF THE UNITED STATES

UNITED STATES OF AMERICA :  
: No. \_\_\_\_\_  
v. :  
: KEVIN COLES :  
:

**MOTION TO PROCEED IN FORMA PAUPERIS**

AND NOW comes Kevin Coles and respectfully requests leave to proceed *in forma pauperis* and states the following in support:

1. Counsel was appointed for trial and appeal pursuant to the Criminal Justice Act.
2. The orders of appointment are attached as Exhibits A and B, respectively.

WHEREFORE, Petitioner/Defendant Coles requests leave to proceed *in forma pauperis* pursuant to Supreme Court Rule 39.

Respectfully submitted,

Date: 7.7.2025

/s/ M. Jason Asbell  
**M. Jason Asbell**  
2933 Lititz Pike  
P.O. Box 5349  
Lancaster, PA 17606  
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# **EXHIBIT A**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	<b>:</b>	<b>CRIMINAL NO. 1:16-CR-0212-01</b>
	<b>:</b>	
	<b>:</b>	
<b>v.</b>	<b>:</b>	<b>(Chief Judge Conner)</b>
	<b>:</b>	
	<b>:</b>	
<b>KEVIN COLES,</b>	<b>:</b>	
	<b>:</b>	
	<b>:</b>	
<b>Defendant</b>	<b>:</b>	
	<b>:</b>	

**ORDER**

AND NOW, this 19th day of September, 2018, upon consideration the motion (Doc. 221) to withdraw as counsel and for appointment of new counsel, filed by Thomas A. Thornton, Assistant Public Defender (“Attorney Thornton”), requesting the court’s leave to withdraw as counsel to defendant in the above-captioned matter, wherein Attorney Thornton indicates that it would be a conflict of interest to represent defendant in any further court proceedings, due to the Federal Public Defender’s representation of another individual in an unrelated matter, and the court finding that good cause for the requested withdrawal exists, it is hereby

ORDERED that:

1. Attorney Thornton’s motion (Doc. 221) to withdraw as counsel is GRANTED.
2. The Clerk of Court shall terminate Attorney Thornton as counsel to defendant in the above-captioned action forthwith.
3. M. Jason Asbell, Esquire (“Attorney Asbell”), of Gibbel, Kraybill & Hess LLP, 2933 Lititz Pike, P.O. Box 5349, Lancaster, Pennsylvania 17606,

telephone number (717)291-1700, is APPOINTED to represent defendant in the above-captioned action.

4. The Clerk of Court is DIRECTED to immediately forward all necessary materials to Attorney Asbell.
5. Attorney Thornton is DIRECTED to provide Attorney Asbell with the file in the above-captioned action forthwith.

/S/ CHRISTOPHER C. CONNER  
Christopher C. Conner, Chief Judge  
United States District Court  
Middle District of Pennsylvania

# **EXHIBIT B**

**UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT**

No. 23-1530

USA v. Kevin Coles

(U.S. District Court No. 1-16-cr-00212-001)

**ORDER REGARDING APPOINTMENT OF COUNSEL**

M. Jason Asbell, Esq. is hereby appointed to represent Kevin Coles on appeal. The appointment will be created in the Court's eVoucher program. Counsel is directed to the eVoucher page for information regarding the appointment terms and procedures.

CJA 20, 30, 21 and 31 vouchers are submitted for payment through the Court's eVoucher program. Upon receiving separate email notification of this appointment from the Court's CJA staff, counsel may create CJA 20, 30, 21 and 31 vouchers for use in maintaining time and expense records and paying for expert services.

**Authorization for preparation of transcripts must be obtained in the District Court.** Deadlines for ordering and filing the transcripts will be set by this Court. Counsel is required to file the transcript purchase order in this Court and should indicate in Part 1B of the form that the "CJA form submitted to District Court Judge". Counsel must complete the transcript request by filing an "Auth-24" request in the District Court's eVoucher program. Financial arrangements for the transcripts will not be considered complete until counsel has submitted an "Auth-24" request through the District Court's eVoucher program.

For the Court,

s/ Patricia S. Dodszuweit  
Clerk

Dated: April 03, 2023  
AMR/cc: M. Jason Asbell, Esq.  
William A. Behe, Esq.  
Michael A. Consiglio, Esq.  
Navin Jani, Esq.

**CERTIFICATE OF SERVICE**

I, M. Jason Asbell, do hereby certify that I have this 7th day of July, 2025, served the foregoing **Motion to Proceed in Forma Pauperis** upon the following counsel of record via first-class mail:

Carl Marchioli, Esquire  
Assistant United States Attorney  
Office of United States Attorney  
Middle District of Pennsylvania  
Sylvia H. Rambo United States Courthouse  
1501 N 6th Street, 2nd Floor  
P.O. Box 202  
Harrisburg, PA 17102

Solicitor General of the United States  
Room 5616, Department of Justice  
950 Pennsylvania Ave., N. W.  
Washington, DC 20530-0001

*/s/ M. Jason Asbell*  
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