

No. 17-5639

IN THE
SUPREME COURT OF THE UNITED STATES

ADAUCTO CHAVEZ-MEZA,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

On Writ of Certiorari
to the United States Court of Appeals
for the Tenth Circuit

MOTION FOR APPOINTMENT OF COUNSEL

TODD A. COBERLY
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Counsel for Petitioner

Petitioner Aداucto Chavez-Meza respectfully moves the Court, pursuant to Supreme Court Rule 39.7 and the Criminal Justice Act (“CJA”), 18 U.S.C. § 3006A, to appoint Todd A. Coberly as his counsel of record. In support, Petitioner states as follows:

1. This Court granted certiorari and Petitioner’s motion to proceed *in forma pauperis* in this case on January 12, 2018.

2. Mr. Coberly is well qualified to undertake this representation. He has been a member in good standing of the New Mexico State Bar since 2006 and is admitted to practice in the Fifth Circuit Court of Appeals, the Tenth Circuit Court of Appeals, and the U.S. District Court for the District of New Mexico.

Concurrently with filing this motion, Mr. Coberly is submitting via Federal Express his application to be admitted to this Court’s bar.

3. Mr. Coberly has prepared numerous briefs and argued on numerous occasions in both state and federal appellate courts. Many of those cases have involved federal sentencing law, the subject of this case. Recently, as counsel appointed pursuant to the CJA, Mr. Coberly successfully represented his client in an appeal before the Tenth Circuit sitting en banc. *See United States v. Bustamante-Conchas*, 850 F.3d 1130 (10th Cir. 2017) (en banc).

4. Mr. Coberly is a member of the U.S. District Court for the District of New Mexico's CJA complex case, general felony, and habeas panels. He also is a member of the Tenth Circuit's CJA appellate panel.

5. Mr. Coberly has represented Petitioner throughout the underlying litigation. He was appointed by the U.S. District Court for the District of New Mexico on March 18, 2015, and the Tenth Circuit Court of Appeals on April 29, 2016. Mr. Coberly prepared Petitioner's petition for a writ of certiorari and the reply to the United States' brief in opposition.

6. Petitioner desires to have Mr. Coberly continue to represent him before this Court. It would be economically beneficial to continue Mr. Coberly's appointment in view of his familiarity with the factual and legal nuances of Petitioner's case.

For the foregoing reasons, Petitioner respectfully requests that the Court, pursuant to 18 U.S.C. § 3006A, appoint Todd A. Coberly as his counsel of record in this case.

Respectfully submitted,



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