

No. 17-766

IN THE
SUPREME COURT OF THE UNITED STATES

UNITED STATES,

Petitioner,

v.

JASON DANIEL SIMS,

Respondent.

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

**RESPONDENT'S MOTION FOR
APPOINTMENT OF COUNSEL [CORRECTED]**

Jenniffer Horan
Federal Public Defender
Chris Tarver
Senior Litigator
FEDERAL DEFENDER'S OFFICE
1401 W. Capitol Avenue
Suite 490
Little Rock, AR 72201

Jeffrey L. Fisher
Counsel of Record
STANFORD LAW SCHOOL
SUPREME COURT LITIGATION CLINIC
559 Nathan Abbott Way
Stanford, CA 94305
(650) 724-7081
jlfisher@law.stanford.edu

MOTION FOR APPOINTMENT OF COUNSEL

Respondent Jason Daniel Sims hereby moves, pursuant to S. Ct. Rule 39.7, to appoint Jeffrey L. Fisher of the Stanford Supreme Court Litigation Clinic as his counsel of record. In support of this motion, respondent supplies the following information:

1. This Court granted certiorari and respondent's motion to proceed *in forma pauperis* in this case on April 23, 2018.
2. Mr. Fisher is well qualified to undertake this representation. He serves as the Co-Director of the Stanford Law School Supreme Court Litigation Clinic. He has argued numerous cases in this Court and has been involved in dozens of others. Several of those cases have involved the subjects of this case: federal sentencing law in general and the categorical approach in particular.
3. Mr. Fisher has the resources necessary to undertake this representation. The Stanford Supreme Court Litigation Clinic employs three instructors (including Mr. Fisher), all of whom regularly litigate in this Court. Mr. Fisher is also special counsel at O'Melveny & Myers LLP, which has an appellate department with extensive Supreme Court experience. Mr. Fisher will serve as co-counsel with the Federal Public Defender's office for the Eastern District of Arkansas, which represented respondent in the Eighth Circuit and during the certiorari stage in this Court.
4. Mr. Fisher has been a member in good standing of the Washington State Bar since 2000 and of the California Bar since 2008. He also is a member of this Court's bar.

CONCLUSION

For the foregoing reasons, respondent respectfully requests that this Court appoint Jeffrey L. Fisher as his counsel of record in this case.

Dated: May 29, 2018

Respectfully submitted,



Jenniffer Horan
Federal Public Defender
Chris Tarver
Senior Litigator
FEDERAL DEFENDER'S OFFICE
1401 W. Capitol Avenue
Suite 490
Little Rock, AR 72201

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Counsel of Record
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