

No.

IN THE SUPREME COURT OF THE UNITED STATES

JULIUS FERRELL BLACK,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

**Julia L. O'Connell
Federal Public Defender**

**Barry L. Derryberry
(Counsel of Record)
Assistant Federal Public Defender
barry.derryberry@fd.org**

**Office of Federal Public Defender
Northern & Eastern Districts of Oklahoma
One West Third Street, Ste. 1225
Tulsa, OK 74103
(918) 581-7656
fax (918) 581-7630
Counsel for Petitioner**

March 15, 2018

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Petitioner, Julius Black, an indigent party in this case, moves for leave to proceed in forma pauperis for the purpose of filing a Petition for Writ of Certiorari in the United States Supreme Court.

Petitioner's financial indigency was recognized by the United States Court of Appeals for the Tenth Circuit, which on April 28, 2017, appointed the Office of Federal Public Defender identified below to represent Petitioner on direct appeal pursuant to the Criminal Justice Act (18 U.S.C. §3006A). See also Fed.R.Crim.P. Rule 44(a) (providing right to appointment of counsel on appeal for defendants unable to obtain counsel). A copy of the appointment order is attached to this Motion. The Petitioner has since been continuously represented by his appointed counsel.

Petitioner requests that this Court grant leave to proceed in forma pauperis pursuant to Supreme Court Rule 39.1, and permit Petitioner to submit his Petition for Writ of Certiorari without prepayment of filing fees and costs.

Respectfully submitted,

Barry L. Derryberry
Okla. Bar Assn. No. 13099
Assistant Federal Public Defender
Office of Federal Public Defender
Northern & Eastern Districts of Oklahoma
One West Third Street, Suite 1225
Tulsa, Oklahoma 74103
(918) 581-7656
barry.derryberry@fd.org
Counsel for Petitioner

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

April 28, 2017

Elisabeth A. Shumaker
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

No. 17-7027

JULIUS FERRELL BLACK,

Defendant - Appellant.

ORDER

Before **TYMKOVICH**, Chief Circuit Judge.

This matter is before the Court on Appellant's Motion to Continue Appointment. Upon consideration, the motion is granted. Pursuant to 18 U.S.C. §3006A, the Federal Public Defender for the Eastern District of Oklahoma is appointed as counsel of record to represent the appellant, Julius Ferrell Black. This appointment is effective *nunc pro tunc* to the date the notice of appeal was filed in this matter.

Entered for the Court



ELISABETH A. SHUMAKER, Clerk