



No:

IN THE
SUPREME COURT OF THE UNITED STATES

MICHAEL TERRILL FAIRCLOTH,
PETITIONER

v

UNITED STATES OF AMERICA,
RESPONDENT

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

PETITIONER, Michael Terrill Faircloth, pursuant to Sup Ct.R. 39.1, respectfully moves for leave to file the accompanying petition for writ of certiorari in the Supreme Court of the United States without payment of costs and to proceed in forma pauperis.

PETITIONER was previously found financially unable to obtain counsel and the Federal Public Defender of the Middle District was originally appointed before a CJA appointment was effected pursuant to 18 U.S.C. §3006A. Therefore, in reliance upon Rule 39.1 and §3006A(d)(6), Petitioner has not attached the affidavit to this instant petition which would otherwise be required by 28 U.S.C. § 1746.


Michael T. Faircloth,
Pro Se
#37298-004
Federal Detention Cntr
P.O.B. 019120
Miami, Florida 33101-9120

January 16, 2018

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

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

David J. Smith
Clerk of Court

For rules and forms visit
www.ca11.uscourts.gov

December 16, 2016

Lee Hollander
Law Offices of Hollander & Hanuka
2681 AIRPORT RD S STE C101
NAPLES, FL 34112-4813

Appeal Number: 16-17471-C
Case Style: USA v. Michael Faircloth
District Court Docket No: 2:06-cr-00117-JES-MRM-1

Party To Be Represented: Michael Faircloth

Dear Counsel:

We are pleased to advise that you have been appointed to represent on appeal the indigent litigant named above. This work is comparable to work performed pro bono publico. The fee you will receive likely will be less than your customary one due to limitations on the hourly rate of compensation contained in the Criminal Justice Act (18 U.S.C. § 3006A), and consideration of the factors contained in Addendum Four § (g)(1) of the Eleventh Circuit Rules.

Supporting documentation and a link to the CJA eVoucher application are available on the internet at <http://www.ca11.uscourts.gov/attorney-info/criminal-justice-act>. **For questions concerning CJA eVoucher please contact our CJA Team by email at cja_evoucher@ca11.uscourts.gov or phone 404-335-6167.** For all other questions, please call the "Reply To" number shown below.

Every motion, petition, brief, answer, response and reply filed must contain a Certificate of Interested Persons and Corporate Disclosure Statement (CIP). Appellants/Petitioners must file a CIP within 14 days after the date the case or appeal is docketed in this court; Appellees/Respondents/Intervenors/Other Parties must file a CIP within 28 days after the case or appeal is docketed in this court, regardless of whether appellants/petitioners have filed a CIP. See Fed.R.App.P. 26.1 and 11th Cir. R. 26.1-1.

On the same day a party or amicus curiae first files its paper or e-filed CIP, that filer must also complete the court's web-based CIP at the Web-Based CIP link on the court's website. Pro se filers (except attorneys appearing in particular cases as pro se parties) are **not required or**

authorized to complete the web-based CIP.

Your claim for compensation under the Act should be submitted within 60 days after issuance of mandate or filing of a certiorari petition. We request that you enclose with your completed CJA Voucher one additional copy of each brief, petition for rehearing, and certiorari petition which you have filed. Please ensure that your voucher includes a detailed description of the work you performed. Thank you for accepting this appointment under the Criminal Justice Act.

Sincerely,

DAVID J. SMITH, Clerk of Court

Reply to: Walter Pollard, C
Phone #: (404) 335-6186

CJA-1 Appointment of Counsel Letter