

No. 20-_____

IN THE
SUPREME COURT OF THE UNITED STATES

IVAN SOTO-BARRAZA and
JESUS LIONEL SANCHEZ-MEZA,

Petitioners,

v.

UNITED STATES OF AMERICA,

Respondent.

On Petition for a Writ of Certiorari to the
United States Court of Appeals for the Ninth Circuit

**PETITIONERS' MOTION FOR LEAVE TO PROCEED IN
FORMA PAUPERIS**

NOW INTO COURT, through undersigned counsel, comes Petitioners Jesus Lionel Sanchez-Meza and Ivan Soto-Barraza, who move this Honorable Court for leave to proceed *in forma pauperis* and to file the attached Petition for Writ of Certiorari without prepayment of costs pursuant to Supreme Court Rule 39.

Petitioners' affidavit or declaration of support of this motion is not attached because the court below appointed counsel in the current proceeding, and the appointment was made under the following provision of law: Criminal Justice Act, 18 U.S.C. §3006A. See *United States v. Jesus Lionel Sanchez-*

Meza, No. 4:11-cr-00150-DCB-5 (06/18/2014 minute entry appointing counsel, Rec.Doc.264) (attached hereto). and *United States of America v. Ivan Soto-Barraza*, No. 4:11-cr-00150-DCB-3 (08/1/2014 minute entry appointing counsel, Rec.Doc. 277) (attached hereto).

WHEREFORE, Petitioners respectfully move this Honorable Court for leave to proceed *in forma pauperis* and to file the attached Petition for Writ of Certiorari without prepayment of costs.

Respectfully submitted this 21st day of August, 2020,

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****Counsel of Record***

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**ATTACHMENT TO PETITIONERS' MOTION FOR LEAVE TO
PROCEED IN
FORMA PAUPERIS**

Electronic Notice of CJA Appointment of Counsel
No. 4:11-cr-00150-DCB-
(AZ District Court minute entry appointing counsel.)

DATE: 6/18/2014 CASE NUMBER: CR 11-00150-TUC-DCB(BPV)

USA vs. Lionel Portillo-Meza

INITIAL APPEARANCE / ARRAIGNMENT/DETENTION

U.S. MAGISTRATE JUDGE: MAGISTRATE JACQUELINE M. RATEAU Judge #: 70BN

U.S. Attorney Fred Shephard INTERPRETER REQ'D Clark Feaster

Attorney for Defendant Ramiro Flores (CJA) ☒ PRESENT

DEFENDANT: ☒ PRESENT ☐ NOT PRESENT ☐ RELEASED ☒ CUSTODY

PSA recommends detention; Gov't ☒ concurs ☐ objects; DEFT ☒ concurs ☐ objects

GOVERNMENT recommends detention

☐ Court accepts/rejects stip of ptys/recommendation by _____

Bail set at \$ _____

☐ Defendant signed Order Setting Conditions of Release and released on _____

DETENTION HEARING: ☒ Held ☐ Cont'd ☐ UA

Set for:
before:

Gov't's request for detention ☒ Granted ☐ Denied

☒ Defendant Ordered detained pending trial

☐ Gov't withdraws request to detain defendant

ARRAIGNMENT Set for _____ before: _____

Deft-005 Lionel Portillo-Meza states T/N is SAME and enters plea of NOT GUILTY to Counts 1 - 9

☒ Provided with copy of Indictment ☒ Waives reading

Motion Hearing Date: All pretrial motions shall be filed sufficiently in advance of trial to avoid any delays in the trial pursuant to LRCrim 47.1. It is the responsibility of counsel to contact the referred Magistrate Judge to schedule a hearing on any motions requiring oral argument.

Change of Plea Hearing Deadline: 07/11/2014 by 3:00 PM before MAGISTRATE JUDGE VELASCO

Trial Date: 07/29/2014 at 9:30 AM before JUDGE BURY.
Any motion or stipulation to continue the scheduled trial date and change of plea hearing deadline shall be filed with the Clerk of the Court no later than 5:00 p.m. on the Monday following the plea deadline.

☐ On mot of atty for deft/deft ❖ Arraignment cont to before.

No further notice shall be given. Any delay shall be excludable time under STA. Pursuant to 18:3161(h)(7) to commence on _ and terminate on _. The Court finds excludable delay under 18 U.S.C. § 3161(h)(7) from _ to _.

OTHER: Ramiro Flores is appointed as attorney of record for defendant.

Recorded by Courtsmart
BY: Peggie Robb
Deputy Clerk

DH: 0
ARR: 0
IA: 0

Start time: 2:30
Stop time: 3:00

DATE: 8/1/2014 CASE NUMBER: CR 11-00150-TUC-DCB(BPV)

USA vs. Ivan Soto-Barraza

U.S. MAGISTRATE JUDGE: LESLIE A. BOWMAN Judge #: 70BX

U.S. Attorney David Leshner, AUSA INTERPRETER REQ'D Ignacio Barrientos

Attorney for Defendant Andrea Matheson (CJA)

INITIAL APP: ☒ HELD DEFENDANT: ☒ PRESENT ☐ NOT PRESENT ☐ RELEASED ☒ CUSTODY

☒ Complaint Filed ☒ DOA 7/31/2014

☐ Warrant Other District

☐ Financial Afdvt taken

☐ Warrant Phx Div.

☐ No Financial Afdvt taken

☐ Counsel waives reading of the Complaint/Indictment

☐ ORDER Indictment/Complaint unsealed

☒ Defendant states true name to be SAME.
Further proceedings Ordered in defendant's true name.

☒ Government's motion for detention and request for a continuance of the Detention Hearing pursuant to 18§3142(e) & (f)
is ☒ Granted ☐ Denied

☒ Defendant shall be temporarily detained in the custody of the United States Marshal pursuant to ☒ 18§ 3142(f) ☐ 18§ 3142(d)

PSA recommends Detention; Gov't ☐ concurs ☐ objects

GOVERNMENT recommends Detention

☐ Court accepts/rejects stip of ptys/recommendation by _____

Bail set at \$ _____

☐ Defendant signed Order Setting Conditions of Release and released on _____

DETENTION HEARING: <input checked="" type="checkbox"/> Held <input type="checkbox"/> Cont'd <input type="checkbox"/> UA Set for: before:	PRELIMINARY HEARING: <input type="checkbox"/> Held <input type="checkbox"/> Waived Set for: before:
Gov't's request for detention <input type="checkbox"/> Granted <input type="checkbox"/> Denied	<input type="checkbox"/> Probable cause found <input type="checkbox"/> Held to answer before Dist. Court
<input type="checkbox"/> Defendant Ordered detained pending trial <input type="checkbox"/> Gov't withdraws request to detain defendant	<input type="checkbox"/> PRELIMINARY HEARING telephonically waived and DEEMED Waived, VACATE hearing set for
ARRAIGNMENT Held; see separate entry before:	

OTHER: Andrea Matheson, CJA is appointed as counsel for defendant. At defense counsel's request, IT IS ORDERED, defendant be present for Status Conference currently set for 8/8/14 at 9:00 am before Judge Velasco. Defendant is ordered detained as a risk of nonappearance. Thereafter, AUSA David Leshner advised that the victims in this case were notified of today's initial appearance.

Recorded by Courtsmart
BY: Armida Butler
Deputy Clerk

IA: 0
DH: 0

Start time: 2:25
Stop time: 3:20