

In the
Supreme Court of the United States

VERNELL MOORE,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Petitioner asks for leave to file the attached Petition for a Writ of Certiorari without prepayment of costs and to proceed *in forma pauperis*. For cause, Petitioner states as follows:

1. Petitioner has previously been granted leave to proceed *in forma pauperis* in U.S. District Court for the Eastern District of Tennessee, Southern Division and the Sixth Circuit Court of Appeals.

2. Undersigned counsel has been appointed to represent Petitioner pursuant to the Criminal Justice Act of 1964, 18 U.S.C. section 36006A, twice, which is evidenced by the following documents:

- a. Order Granting Appointment of New Counsel, Timothy L. Mickel in the U.S. District Court, Eastern District of Tennessee at Chattanooga, dated July 1, 2021, Record Entry 146, Page ID #: 763; and

- b. Ruling [non-document] to extend Timothy L. Mickel appointment under the Criminal Justice Act automatically extended in the United States Court of Appeals for the Sixth Circuit, dated July 28, 2023, Record Entry 3.

Documents reflecting these appointments are appended hereto.

Respectfully submitted,

BY: /s/Timothy L. Mickel
TIMOTHY L. MICKEL
Counsel of Record
EVANS HARRISON HACKETT PLLC
One Central Plaza, Suite 800
835 Georgia Avenue
Chattanooga, TN 37402
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Counsel for Petitioner

November 13, 2024

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

UNITED STATES OF AMERICA

v.

Case No.: 1:20-cr-00070-CLC-SKL

VERNELL MOORE

ORDER

The Court finds that defendant, Vernell Moore, does not have the funds to retain an attorney of defendant's choice and that defendant wants to be represented by counsel. As a condition of the appointment of counsel to represent defendant, the Court reserves the right to require the defendant to repay the government the reasonable value of the services rendered to defendant by the appointed counsel and any expenses in connection therewith. Accordingly, it is ORDERED the following counsel will be appointed to represent defendant:

Timothy L Mickel
Evans Harrison Hackett PLLC
One Central Plaza
835 Georgia Avenue, Suite 800
Chattanooga, TN 37402

(423)-648-7858

ENTER.

s/Susan K Lee
UNITED STATES MAGISTRATE JUDGE

Selected docket entries for case 23–5674

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Filed	Document Description	Page	Docket Text
07/28/2023	<u>1</u> Case Opening Letter	3	Criminal Case Docketed. Notice filed by Appellant Vernell Moore. Transcript needed: y. (LTK)
07/28/2023			The case manager for this case is: Leon Korotko. (LTK)
07/28/2023			RULING [non–document] to extend appointment of Mr. Timothy L. Mickel for Vernell Moore as counsel under the Criminal Justice Act. (LTK)
07/31/2023	<u>4</u> appearance form	6	APPEARANCE filed for Appellee USA by Kevin T. Brown. Certificate of Service: 07/31/2023. [23–5674] (KTB)
08/14/2023			NOTICE: The initial transcript order has not been completed. If not completed by 08/17/2023 further action will be taken. (LTK)
08/15/2023	<u>6</u> appearance form	7	APPEARANCE filed for Appellant Vernell Moore by Timothy L Mickel. Certificate of Service: 08/15/2023. [23–5674] (TLM)
08/15/2023			TRANSCRIPT ordered from Ms. Elizabeth Coffey, filed by Mr. Timothy L. Mickel for Vernell Moore. [7] ; ----- This is to order a transcript of the following proceedings and to certify that satisfactory financial arrangements have been completed ----- Transcript ordered on: 08/15/2023 ; District Court Judge/Magistrate: <i>Hon. Curtis L. Collier</i> ; Hearing Dates: <i>July 13, 2023 Sentencing Hearing</i> ; Method of Payment: <i>Criminal Justice Act CJA–24</i> Authorization Date: 07/28/2023 ; ; Court reporter acknowledgement is due in 14 days. Certificate of Service: 08/15/2023. [23–5674] (TLM)
08/15/2023			NOTIFICATION: Setting acknowledgement deadline, relating to transcript order, [7]. Elizabeth Coffey's acknowledgement is due 08/29/2023. (GSA)
08/29/2023			Court Reporter Acknowledgement filed by Ms. Elizabeth Coffey, for transcript [7] ; Arrangements for payment were made on 08/29/2023 ; Estimated completion date: 09/29/2023 ; Estimated number of pages: 62. [23–5674] (EC)
08/29/2023			NOTIFICATION: Setting transcript deadline, relating to transcript order, [7] Transcript to be filed in district court by Elizabeth Coffey by 09/28/2023. (VLP)
09/28/2023			Transcript, [7], has been filed in the District Court on 09/28/2023 ; Court Reporter: Ms. Elizabeth Coffey ; Actual Number of Pages: 62 ; Actual Number of Volumes: 1 ; [23–5674] (EC)
09/29/2023	<u>12</u> Briefing Letter	8	BRIEFING LETTER SENT setting briefing schedule: appellant brief due 11/08/2023; appellee brief due 12/08/2023. (LTK)

11/01/2023	<u>13</u> motion	14	MOTION filed by Mr. Timothy L. Mickel for Vernell Moore to extend time to file brief. Certificate of Service: 11/01/2023. [23-5674] (TLM)
11/02/2023	<u>14</u> clerk order filed	17	ORDER filed GRANTING motion to extend time to file brief [<u>13</u>] filed by Mr. Timothy L. Mickel. Resetting briefing schedule: appellant brief now due 12/15/2023, appellee brief now due 01/16/2024. (LTK)
11/02/2023	<u>15</u> Reset Briefing Schedule Letter	18	BRIEFING LETTER SENT resetting briefing schedule: appellant brief now due 12/15/2023. appellee brief now due 01/16/2024. (LTK)
01/02/2024			Transcript, [16], has been filed in the District Court on 01/02/2024 ; Court Reporter: Ms. Elizabeth Coffey ; Actual Number of Pages: 17 ; Actual Number of Volumes: 1 ; [23-5674] (EC)
01/03/2024	<u>20</u> Briefing Letter	24	BRIEFING LETTER SENT setting briefing schedule: appellant brief due 02/12/2024;,. appellee brief due 03/13/2024. (LTK)