

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

STEPHEN PIERRE-PAUL — PETITIONER
(Your Name)

VS.

UNITED STATES OF AMERICA — RESPONDENT(S)

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Please check the appropriate boxes:

☐ Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

☐ Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

☐ Petitioner's affidavit or declaration in support of this motion is attached hereto.

☒ Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

☒ The appointment was made under the following provision of law: _____
18 USC 3006A Criminal Justice Act, or

☒ a copy of the order of appointment is appended.


(Signature)

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

UNITED STATES OF AMERICA

v.

**STEPHEN J. PIERRE-PAUL, *et al.*,
Defendants.**

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Criminal Action No. 21-cr-144

ORDER

This criminal prosecution is set to come before the Court on March 11, 2022 at 9:00 a.m. for Defendant Pierre-Paul's sentencing. Defendant Pierre-Paul's counsel, Ms. Mary Nerino, has filed a Motion to Withdraw (Dkt. 135). Ms. Nerino, who represents Defendant Pierre-Paul as a private attorney at the firm Price Benowitz LLP, indicates that she has accepted a position as an Assistant Public Defender at the Office of the Federal Public Defender in Burlington, Vermont. Because Ms. Nerino's new employment will not permit her to continue in the private practice of law, it is plainly appropriate to grant the Motion to Withdraw.

Additionally, based on Ms. Nerino's representation that Defendant Pierre-Paul lacks the means to hire private counsel, it is appropriate to appoint new counsel pursuant to the Criminal Justice Act ("CJA"), 18 U.S.C. § 3006A. Ms. Lana Manitta, a member of the Eastern District of Virginia's CJA Panel, has indicated that she is willing and available to represent Defendant Pierre-Paul at sentencing. Accordingly, Ms. Manitta will be appointed to represent Defendant Pierre-Paul in this matter.

Accordingly, for reasons stated in this Order,

It is hereby **ORDERED** that Ms. Mary Nerino's Motion to Withdraw as counsel for Defendant Pierre-Paul (Dkt. 135) is **GRANTED**.

It is further **ORDERED** that Ms. Lana Manitta is **APPOINTED** pursuant to the Criminal Justice Act ("CJA"), 18 U.S.C. § 3006A, to represent Defendant Pierre-Paul at sentencing.

The Clerk of Court is directed to send a copy of this Order to all counsel of record and to Ms. Lana Manitta at her address of record.

Alexandria, Virginia
January 24, 2022



T. S. Ellis, III
United States District Judge