

No. 25-\_\_\_\_\_

IN THE UNITED STATES SUPREME COURT

Mark Ellis  
Petitioner,

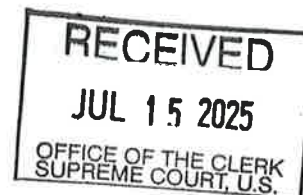
v.

United States of America,  
Respondent.

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

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

J. NICHOLAS BOSTIC (P40653)  
Counsel of record for Petitioner  
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Lansing, MI 48906  
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517-706-0132

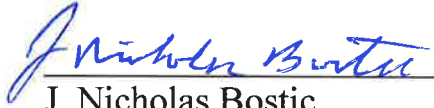


Mr. Ellis, for his motion, states:

1. Mr. Ellis was appointed counsel in the District Court for the Middle District of Tennessee throughout the pre-trial, trial, and sentencing proceedings.
2. Mr. Ellis was represented by undersigned counsel throughout the appeal proceedings in the Sixth Circuit Court of Appeals pursuant to 18 U.S.C. §3006A and the Sixth Circuits Criminal Justice Act Plan.
3. A copy of the order of appointment from the Sixth Circuit is attached to this motion.
4. Mr. Ellis was sentenced on March 15, 2024 to 300 months to the custody of the Bureau of Prisons.
5. Mr. Ellis is currently serving his sentence but is presently housed in the Montgomery County (Tennessee) Jail awaiting disposition of state charges.
6. At the time of sentencing, the United States Probation Office determined that Mr. Ellis owed money to the Montgomery County (Tennessee) courts for unspecified amounts, had no assets, and owed \$35,438 to the Tennessee Department of Human Services in child support arrears.
7. Mr. Ellis has been continuously incarcerated since his initial appearance on February 2, 2022.
8. Mr. Ellis is unable to afford to pay the \$300.00 filing fee for his petition for writ of certiorari as required by Sup. Ct. R. 38(a).

WHEREFORE, Mr. Ellis respectfully requests this Honorable Court grant this motion to waive the initial filing fee in this matter and accept his petition for writ of certiorari.

7/7/2025

A handwritten signature in blue ink, reading "J. Nicholas Bostic", is written over a horizontal line.

J. Nicholas Bostic  
Attorney for Petitioner  
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UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

Kelly L. Stephens  
Clerk

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Filed: April 22, 2024

Mr. J. Nicholas Bostic  
Law Office  
909 N. Washington Avenue  
Lansing, MI 48906

Re: Case No. 24-5283, *USA v. Mark Ellis*  
Originating Case No. : 3:22-cr-00070-1

Dear Counsel,

This confirms your appointment to represent the defendant in the above appeal under the Criminal Justice Act, 18 U.S.C. § 3006A.

You must file your appearance form and order transcript within 14 days of this letter. The appearance form and instructions for the transcript order process can be found on this court's website. Please note that transcript ordering in CJA-eligible cases is a two-part process, requiring that you complete both the financing of the transcript (following the district court's procedures) and ordering the transcript (following the court of appeals' docketing procedures). Additional information regarding the special requirements of financing and ordering transcripts in CJA cases can be found on this court's website at <http://www.ca6.uscourts.gov/criminal-justice-act> under "Guidelines for Transcripts in CJA Cases."

Under § 230.66.40(a) of the *Guide*, "the expense of specialized typesetting, layout, or binding of appellate or other legal briefs (including Supreme Court booklets) exceeding requirements for individuals represented under the CJA, regardless of the printing method utilized, is **not** reimbursable." (emphasis added) "The reasonable cost of laser printing, photocopying, or similar duplication expenses is," however, "reimbursable." *Id.* § 230.66.40(b).

The Supreme Court does not require the special booklet format when a petitioner is proceeding IFP. *See* S. Ct. R. 39.3. Instead, counsel may print their petition on 8.5x11 paper, stapling in the top-left corner, and must mail an original and ten copies of the cert. petition and appendix. *See Guide to Filing IFP Cases*; S. Ct. R. 33.2. Expenses above the costs for production consistent with S. Ct. R. 39.3 will not be reimbursed.

Following this letter, you will receive a notice of your appointment in the eVoucher system. That will enable you to log into the eVoucher system and track your time and expenses

in that system. To receive payment for your services at the close of the case you will submit your voucher electronically via eVoucher. Instructions for using eVoucher can be found on this court's website. Your voucher must be submitted electronically no later than 45 days after the final disposition of the appeal. *No further notice will be provided that a voucher is due.* Questions regarding your voucher may be directed to the Clerk's Office at 513-564-7041.

Finally, if you become aware that your client has financial resources not previously disclosed or is no longer eligible for appointed counsel under the Criminal Justice Act, please contact the Clerk or Chief Deputy for guidance.

Sincerely yours,

s/Ken Loomis  
Administrative Deputy  
Direct Dial No. 513-564-7067

cc: Mr. Mark Ellis  
Ms. Lynda M. Hill  
Mr. Robert McGuire  
Mr. Charles Anthony Milton