

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Emanuel Leyton Picon

Petitioner,

v.

United States of America,

Respondent.

**On Petition for a Writ of Certiorari to the
District of Columbia Court of Appeals**

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Petitioner asks leave to file the accompanying petition for a writ of certiorari without prepayment of fees and to proceed in forma pauperis. Counsel was appointed to represent Petitioner in the District of Columbia Court of Appeals under the District of Columbia Criminal Justice Act, which provides for appointment of counsel for indigent criminal defendants. *See* D.C. Code §§ 11-2602, 11-2603. A copy of the order of the District of Columbia Court of Appeals

appointing counsel for Petitioner is appended to this motion. No affidavit or declaration is required. *See* Sup. Ct. R. 39.1.

Respectfully submitted,

/s/Matthew B. Kaplan

Matthew B. Kaplan

Counsel of Record

The Kaplan Law Firm

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Counsel for Petitioner

September 19, 2025

**District of Columbia
Court of Appeals**



No. 23-CF-344

E. L. P.,
Appellant,
v.

2021-CF3-004336

UNITED STATES,
Appellee.

ORDER

On consideration of the notice of appeal, and it appearing that appellant has been found eligible for court appointed counsel, it is

ORDERED that Matthew Kaplan, Esquire is hereby appointed to represent appellant in this appeal. It is

FURTHER ORDERED that trial counsel Thomas R. Healy, Esquire shall transmit all documents pertaining to this appeal, including trial exhibits, to the newly appointed counsel forthwith. It is

FURTHER ORDERED that counsel for appellant shall immediately take the appropriate steps to review the trial court record and to ensure that the transcript(s) necessary to the appeal have been ordered and shall, within 30 days from the date of this order, complete and file with this court a single copy of the statement regarding transcripts available for completion online. Where transcript(s) necessary for this appeal have been ordered and completed for non-appeal purposes, appellant must advise the Court Reporting and Recording Division to forward said transcript(s) for inclusion in the record on appeal.

FOR THE COURT:

A handwritten signature in blue ink that reads "Julio A. Castillo".

JULIO A. CASTILLO
Clerk of the Court

No. 23-CF-344

Copies e-served to:

Director, Court Reporting and Recording Division

Director, Criminal Division

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Copy mailed to:

E. L. P.
DCDC #378-250
DC Jail
1901 D Street, SE
Washington, DC 20003

pm/jl