

Case No. _____

In The
Supreme Court of the United States

MARCHELLO MOORE,

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

Genna M. Lutz
McWhirter Law Firm, PLLC
80 Monroe Ave. Ste. L-7
Memphis, TN 38103
(901) 522-9055

CJA Appointed Counsel for Marchello Moore

COMES NOW Petitioner, Marchello Moore, by and through undersigned counsel, and pursuant to Supreme Court Rule 39.1 and 18 U.S.C. §3006A(d)(7), respectfully moves this Honorable Court for leave to proceed *in forma pauperis*, and for leave to file the contemporaneously filed Petition for Writ of Certiorari to the United States Court of Appeals for the Sixth Circuit without prepayment of fees. Petitioner was represented by appointed counsel under the Criminal Justice Act in the District Court for the Western District of Tennessee and the Sixth Circuit Court of Appeals. A copy of the district court order appointing CJA Counsel and a copy of the Sixth Circuit's Order extending CJA counsel's appointment is attached hereto at EXHIBIT A. Leave to proceed *in forma pauperis* was never sought in any other court.

Respectfully Submitted,

MCWHIRTER LAW FIRM PLLC

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Memphis, TN 38103
Telephone: (901) 522-9055
genna@mcwfirm.com

11/3/2025
DATE

By: /s/ Genna M. Lutz
GENNA M. LUTZ

EXHIBIT A

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3
4 **UNITED STATES DISTRICT COURT**
5 **WESTERN DISTRICT OF TENNESSEE**
6

7 **UNITED STATES OF AMERICA,**

8 **vs**

9 **MARCELLO MOORE,**

Case No. 2:23-CR-20014-1-JPM

10
11 **ORDER APPOINTING COUNSEL**
12 **PURSUANT TO THE CRIMINAL**
13 **JUSTICE ACT**

14 This Court has determined that the above-named defendant is financially unable to
15 obtain adequate representation in the above-styled case, and is otherwise qualified for appointment
16 of counsel. Accordingly, the Court makes the following appointment pursuant to the Criminal
17 Justice Act (18 U.S.C. § 3006A):

18 Attorney Genna M. Lutz, who is a member of the Criminal Justice Act Panel for
19 the Western District of Tennessee, is appointed as counsel for the defendant.

20 **DONE and ORDERED** April 06, 2023.

21 s/ Charmiane G. Claxton
22 UNITED STATES MAGISTRATE JUDGE
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Genna Lutz

From: CA06-eVoucher@ca6.uscourts.gov
Sent: Monday, August 19, 2024 8:00 AM
To: Genna Lutz
Subject: CJA eVoucher - c06_prod Notifying Counsel of Appointment

To: Genna Lutz,

Date: 8/19/2024 6:00:05 AM.

This is to inform you that the Sixth Circuit Court of Appeals has appointed you to represent Marchello Moore in case USA vs. Marchello Moore 1:24-AP-05681 before this court. You should have received previous correspondence from the court. If you have not, and you feel this is a mistake, please contact our office for more information. If you have already withdrawn from the case but completed work, a voucher has been created so you can claim your time.

You may access this appointment via the CJA eVoucher program at https://evadweb.ev.uscourts.gov/CJA_c06_prod/CJAeVoucher/Logon.aspx.

Regards,
Sixth Circuit Court of Appeals

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