

No. __ - _____

IN THE SUPREME COURT OF THE UNITED STATES

Christopher Wuchter, *Petitioner*,

v.

The United States, *Respondent*.

Motion For Leave to Proceed In Forma Pauperis

Pursuant to Rule 39 of the Rules of this Court, the Petitioner, Christopher Wuchter, asks leave to file the attached Petition for Writ of Certiorari, without prepayment of costs, and to proceed in forma pauperis.

The petitioner was represented by counsel appointed pursuant to Title 18, United States Code § 3006A (the Criminal Justice Act) both in the district court and on direct appeal to the Eighth Circuit Court of Appeals. A Copy of the order appointing counsel is attached. Petitioner is currently incarcerated in the Federal Bureau of Prisons and remains indigent.

Respectfully submitted,

/s/ Charles D. Paul

Charles D. Paul (AT0014293)

Nidey Erdahl Meier & Araguás PLC.

425 2nd St. SE, Suite 1000

Cedar Rapids, Iowa 52401

(319) 369-0000

cpaul@eiowalaw.com

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHRISTOPHER WUCHTER,

Defendant.

Case No. 23-cr-2024-CJW

ORDER REGARDING
APPOINTMENT OF COUNSEL

1. THE COURT FINDS: *[Check one]*

- ☒ The Defendant is charged with a felony or with a misdemeanor other than a petty offense.
- ☐ The Defendant is charged with civil or criminal contempt and faces loss of liberty.
- ☐ The Defendant is charged with a violation of probation, faces a change of a term or condition of probation, is charged with a violation of supervised release, faces modification of a term of supervised release, or faces revocation of supervised release.
- ☐ A request is before the Court to appoint counsel for ____ who is either a witness, the subject or target of a criminal investigation, or is subject to counsel under other matters, and who may have exposure to criminal liability and is need of legal representation.

2. IT IS HEREBY ORDERED: *[Check one]*

- ☐ ____ from the Federal Public Defender is appointed to represent the Defendant.
- ☒ CJA Panel Attorney Charles David Paul is appointed to represent the Defendant.
- ☐ This appointment shall automatically be transferred to any related criminal case for Defendant and become effective upon the filing of an unsealed indictment or at the first court appearance required of Defendant.
- ☐ If no CJA Form 23 Financial Affidavit has been submitted in this case in the past twelve (12) months, then counsel appointed herein shall submit a completed CJA Form 23 to the Judge issuing this Order within fourteen (14) days from the date the Order is entered. This Order appointing counsel is subject to Defendant satisfying the Court of Defendant's qualification for court-appointed counsel under 18 U.S.C. § 3006A. The date of last CJA 23 Form entered in this case was on April 26, 2023 (Doc. 8).
- ☐ Defendant's request for court-appointed counsel is **DENIED**.

3. *[Check if applicable]*

☐ **IT IS FURTHER ORDERED** that Defendant shall pay \$_____ per month to the Clerk of Court to partially defray the costs of this representation, until a total of \$_____ is paid. The first payment shall be made by _____. Subsequent monthly payments shall be made by the _____ of each month. If Defendant's financial circumstances change significantly, then Defendant may file an amended financial affidavit, and the Court will consider whether the payment plan should be changed.

4. DEFENDANT IS ADVISED THAT HE OR SHE MAY BE ORDERED AT THE TIME OF SENTENCING TO CONTRIBUTE TO THE COST OF HIS OR HER DEFENSE.

IT IS SO ORDERED this 26th day of April, 2023.



Mark A. Roberts, United States Magistrate Judge
Northern District of Iowa