

**Docket No. 26-**

**IN THE SUPREME COURT OF THE UNITED STATES**

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KIONNATAYA SHEVIL REED,	:
Petitioner,	:
	:
v.	:
UNITED STATES OF AMERICA.	:
Respondent.	:

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x

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

**COMES NOW**, Petitioner, Kionnataya Shevil Reed, by and through undersigned counsel, moves this Court for leave to proceed *in forma pauperis*, and in support of this request, shows as follows:

1. Pursuant to Rule 39.1, a party seeking to proceed *in forma pauperis* must file with this motion a notarized affidavit in support or, if the court below appointed counsel for an indigent party, a copy of the order of the lower court's order of appointment. Attached as Exhibit 1 is a copy of the Dec. 4, 2023, order of the United States District Court for the Southern District of Florida declaring Petitioner indigent and appointing the undersigned to represent the Petitioner for purposes of appeal.

2. Petitioner was adjudged indigent for the purposes of appeal and the undersigned was appointed to represent him.

WHEREFORE, Petitioner respectfully requests that he be permitted to proceed *in forma pauperis* in this matter.

Respectfully submitted,

Dated: February 3, 2026

/s/ Joseph A. DiRuzzo, III  
Joseph A. DiRuzzo, III  
Fla. Bar No. 0619175  
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### **CERTIFICATE OF COMPLIANCE AND SERVICE**

I, Joseph A. DiRuzzo, III, a member of the bar of this Court, hereby certify that on this day of February 3, 2026, a copy of this motion was served, via electronic transmission, to D. John Sauer, Solicitor General, United States Department of Justice, at [supremectbriefs@usdoj.gov](mailto:supremectbriefs@usdoj.gov), and to Jonathan D. Colan, Senior Appellate Attorney, U.S. Attorney's Office, at [Jonathan.Colan@usdoj.gov](mailto:Jonathan.Colan@usdoj.gov), and that all parties required to be served have been served.

/s/ Joseph A. DiRuzzo, III  
Joseph A. DiRuzzo, III

# EXHIBIT 1

United States District Court  
for the  
Southern District of Florida

United States of America, )  
Plaintiff )  
 )  
v. ) Criminal Case No. 23-20274-CR-Scola  
 )  
Kionnataya Shevil Reed, )  
Defendant. )

**Order Discharging Federal Public Defender and**  
**Appointing CJA Counsel for Appeal**

On December 1, 2023, this matter came before the Court for Sentencing Hearing. The Court directed AFPD Daniel Ecarius to file a Notice of Appeal on behalf of the Defendant and once filed, the Court will appoint CJA counsel for appeal, it is hereby

**Ordered and Adjudged** that Daniel Ecarius, Assistant Federal Public Defender, is discharged from this case and **Joseph DiRuzzo** is hereby court appointed pursuant to the Criminal Justice Act to represent the defendant on appeal.

**Done and Ordered** at Miami, Florida, on December 4, 2023.



Robert N. Scola, Jr.  
United States District Judge

cc: Counsel of record  
Joseph DiRuzzo, Esquire (CJA)