

No. _____

In The Supreme Court Of The United States

Markhel D'John Harris-Franklin,

Petitioner,

vs.

United States of America,

Respondent.

On Petition for Writ of Certiorari
To The United States Court of Appeals
For The Eighth Circuit

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

Daniel L. Gerdts
Counsel of Record for Petitioner
331 Second Avenue South, Suite 705
Minneapolis, Minnesota 55401
(612) 800-5086
daniel@danielgerdtslaw.com

Petitioner Markhel D'John Harris-Franklin, through his counsel, Daniel L. Gerdts, Esq., hereby moves the Court, pursuant to Rule 39 of the rules of this Court, for leave to proceed *in forma pauperis*.

Petitioner already has been found to be indigent by both the district court and the court of appeals, and he remains incarcerated as of the date of this filing. Undersigned counsel was appointed to represent Petitioner both in the district court and in the court of appeals pursuant to the authority of the Criminal Justice Act of 1964, 18 U.S.C. § 3006A. Copies of those orders are attached herewith.

For the foregoing reasons, Petitioner respectfully requests that the Court grant leave to proceed herein *in forma pauperis*, without the payment of fees or expenses, and that counsel also be appointed if the Court grants the Petition for Certiorari.

Dated: 19 February 2026

Respectfully submitted,

/s/ Daniel L. Gerdts

Daniel L. Gerdts
Counsel of Record for Petitioner
331 2nd Avenue South, Suite 705
Minneapolis, MN 55415
(612) 800-5086
daniel@danielgerdtslaw.com

**UNITED STATES COURT OF
APPEALS FOR THE EIGHTH
CIRCUIT**

No: 24-2451

United States of America

Appellee

v.

Markhel D'John Harris-Franklin

Appellant

Appeal from U.S. District Court for the District of Minnesota
(0:22-Cr-00246-KMM-1)

ORDER

Attorney Daniel L. Gerdts is hereby appointed to represent appellant in this appeal under the Criminal Justice Act. Information regarding the CJA appointment and vouchering process in eVoucher will be emailed to counsel shortly.

July 15, 2024

Order Entered under Rule 27A(a):
Acting Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Maureen W. Gornik

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 22-246 ADM/ECW

United States of America,

Plaintiff,

v.

Markhel D'John Harris-Franklin,

Defendant.

**ORDER FOR
APPOINTMENT OF
COUNSEL**

The Court has determined that the defendant in the above matter is financially unable to employ counsel and finds that it is in the interest of justice that counsel be assigned.

IT IS HEREBY ORDERED that Daniel Gerdts, Attorney ID 207329, is appointed as counsel pursuant to 18 U.S.C. § 3006A.

Dated: May 31, 2023

s/Ann D. Montgomery
Honorable Ann D. Montgomery
United States District Court Judge