

No. \_\_\_\_\_

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**In The  
UNITED STATES SUPREME COURT**

EDDIE SCOTT SEATON,  
*Petitioner,*

v.

UNITED STATES OF AMERICA,  
*Respondent.*

\_\_\_\_\_  
Motion to Proceed in Forma Pauperis  
on Petition for Writ of Certiorari  
\_\_\_\_\_

Petitioner moves the court under Rule 39.1 to proceed in forma pauperis on his petition for writ of certiorari. He was declared indigent in the District Court on October 16, 2023, and the undersigned was appointed. (Doc. 75 (attached)) In the Court of Appeals for the Eighth Circuit, the undersigned was also appointed on October 25, 2024 (attached) under the Criminal Justice Act, 18 U.S.C. § 3006A.

Respectfully submitted,

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March 5, 2026

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
CENTRAL DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v.

No. 4:20-cr-114-DPM

EDDIE SCOTT SEATON

DEFENDANT

ORDER

1. Seaton appealed my Order denying his motion to be released pending sentencing. He has moved for leave to proceed *in forma pauperis* on appeal. And he has filed a renewed motion for release, to which the government objects.

2. Based on the information in Seaton's financial affidavit, *Doc. 71*, he is now indigent. His motion to proceed *in forma pauperis* is granted. John Wesley Hall, Seaton's retained counsel, is appointed to continue representing him. The interests of justice and continuity of counsel favor allowing Hall to continue as appointed counsel.

3. Because Seaton has appealed my Order denying his motion for release, I now have the authority to apply 18 U.S.C. § 3145(c)'s "exceptional reasons" provision. As a threshold matter, I find by clear and convincing evidence that Seaton is not a flight risk or a danger to the public. *See* 18 U.S.C. § 3145(c); 18 U.S.C. § 3143(a)(1). He had perfect compliance during a long period of pretrial release. True, he's now facing a five-year, mandatory minimum sentence with a

significant guidelines range. But there is no reason to believe that Seaton will desert his wife and run.

4. Has Seaton clearly shown that there are exceptional reasons why his present detention is not appropriate? Exceptional means “clearly out of the ordinary, uncommon, or rare.” *United States v. Larue*, 478 F.3d 924, 925 (8th Cir. 2007). Mrs. Seaton’s health has deteriorated since the trial. She was admitted to the ICU a week ago. The poor health of a spouse, standing alone, is not exceptional. But there are other factors at play. Mrs. Seaton sees an idiopathic cardiomyopathy cardiology specialist in Nashville. There are no closer options. She can’t drive to Nashville herself. Her sister-in-law can’t drive her either. The sister-in-law lacks training on how to care for Mrs. Seaton’s tracheotomy and address issues with her ventilator. Mr. Seaton has that training and can transport his wife to see the specialist.

All material things considered, Seaton has shown that there are exceptional reasons permitting release pending sentencing. His motion, *Doc. 69*, is granted. The United States Marshals Service must release him. Seaton is in the Greene County Detention Center. If he has transportation back to Cabot, where he lives, he should be released as soon as he can make travel arrangements. If he needs transportation, I direct the Marshal to bring him to the Richard Sheppard Arnold United States Courthouse and release him here.

5. Sentencing will be held at 11:00 a.m. on 6 March 2024. I reinstate all the provisions of Seaton's bond pending sentencing. *Doc. 11*. Seaton must submit to location monitoring and is on home detention. He is permitted to leave the Eastern District of Arkansas to transport his wife to Nashville to see her cardiology specialist and bring her home. He must tell his probation officer in advance of all medical appointments and obtain prior approval of his travel plan. He may make as many trips as necessary to take care of Mrs. Seaton. And he may stay in Nashville as long as necessary to do so.

\* \* \*

Seaton's motions, *Doc. 69 & 70*, are granted.

So Ordered.

*D.P. Marshall Jr.*

D.P. Marshall Jr.  
United States District Judge

*16 October 2023*

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

No: 24-3157

United States of America

Appellee

v.

Eddie Seaton

Appellant

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Appeal from U.S. District Court for the Eastern District of Arkansas - Central  
(4:20-cr-00114-DPM-1)

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**ORDER**

Attorney John Wesley Hall 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.

October 25, 2024

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

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/s/ Maureen W. Gornik