

NO. 25A1044

IN THE SUPREME COURT
OF THE UNITED STATES OF AMERICA

April 28, 2026, Term

RODNEY IGNACIO CASTRO,	§
	§
Petitioner	§
	§
vs.	§
	§
	§
UNITED STATES OF AMERICA	§
Respondent	§

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed in forma pauperis for the following reasons:

The Petitioner has previously been granted leave to proceed in forma pauperis in both the District Court of the Eastern District of Texas and the Fifth Circuit Court of Appeals. The

appointment was made under the Criminal Justice Act of 1964, 18 U.S.C. § 3006A, and a copy of the order is appended.

Respectfully submitted,

WHALEN LAW OFFICE



JAMES P. WHALEN
Texas Bar Card No. 00794837
9300 John Hickman Pkwy, Suite 501
Frisco, Texas 75035
Tel: (214) 368-2560
Fax: (972) 829-8654
jwhalen@whalenlawoffice.com

ATTORNEY FOR PETITIONER

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

UNITED STATES OF AMERICA

v.

RODNEY IGNACIO CASTRO

§
§
§
§
§ **CASE NUMBER 1:22-CR-115-5-MAC**
§
§
§

ORDER

Pending is the Defendant’s Motion to Proceed *in Forma Pauperis* on Appeal (doc. #664) and Motion to Appoint Appellate Counsel (doc. #663). Rodney Ignacio Castro previously had court appointed counsel in this matter at the trial court level after executing a financial affidavit demonstrating his indigency. (Doc. #126.) Now, a *pro se* Notice of Appeal has been filed. (Doc. #662.)

Because the court previously found the Defendant indigent without funds to pay for court costs or an attorney to represent him, he may proceed *in forma pauperis* on appeal without further authorization. *See* FED. R. APP. P. 24(a)(3). Therefore, the court finds that the motions should be **GRANTED**. The court **APPOINTS James Whalen** as counsel to represent the Defendant in his direct appeal. The Defendant’s trial attorney shall forward any requested case materials to newly appointed counsel within ten (10) days and is then relieved of all responsibilities in this case.

SIGNED this the 23rd day of September, 2024.



Christine L Stetson
UNITED STATES MAGISTRATE JUDGE