

No. _____

In the Supreme Court of the United States

DALE GANAWAY LUCAS, JR.,

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.

MOTION TO PROCEED IN FORMA PAUPERIS

COMES NOW the Petitioner, through counsel, and asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed in forma pauperis. Petitioner has been incarcerated since September 6, 2023. Based on his financial affidavit, Petitioner was found to be indigent, and Counsel was court-appointed to represent Petitioner on September 8, 2023. Although the undersigned was retained by Mr. Lucas' family before the district court, the undersigned was appointed pursuant to the Criminal Justice Act based on Petitioner's indigency by the District Court on July 29, 2024. Leave to proceed in forma pauperis has not previously been sought. Petitioner's 2023 financial affidavit and prior orders finding him indigent are attached in support of this motion.

PARRISH KRUIDENIER, L.L.P.

/s/ Jessica Donels

Jessica Donels

Counsel of Record

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Des Moines, Iowa 50312

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CJA-29
(Rev 3/21)

FINANCIAL AFFIDAVIT

IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT, OR OTHER SERVICES WITHOUT PAYMENT OF FEE

IN THE UNITED STATES ☐ DISTRICT COURT ☐ COURT OF APPEALS ☐ OTHER (Specify Below)

IN THE CASE OF

USA

v.

LUCAS, Jr.

FOR

AT

LOCATION
NUMBER

PERSON REPRESENTED (Show your full name)

Dale Ganaway Lucas, Jr.

CHARGE/OFFENSE (Describe if applicable & check box-->)

☐ Felony

☐ Misdemeanor

21:841(a)(1), 841(b)(1)(C) Possession with
Intent to Distribute a Controlled Substance (1)

- 1 ☒ Defendant - Adult
- 2 ☐ Defendant - Juvenile
- 3 ☐ Appellant
- 4 ☐ Probation Violator
- 5 ☐ Supervised Release Violator
- 6 ☐ Habeas Petitioner
- 7 ☐ 2255 Petitioner
- 8 ☐ Material Witness
- 9 ☐ Other (Specify) _____

DOCKET NUMBERS

Magistrate Judge

District Court

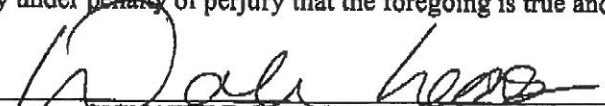
3:23-cr-00064-SMR-SBJ-1

Court of Appeals

ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY

INCOME & ASSETS	EMPLOYMENT	Do you have a job? ☐ Yes ☒ No IF YES, how much do you earn per month? _____ Will you still have a job after this arrest? ☐ Yes ☐ No ☐ Unknown																			
	PROPERTY	Do you own any of the following, and if so, what is it worth? <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;"></th> <th style="width: 20%; text-align: center;">APPROXIMATE VALUE</th> <th style="width: 50%; text-align: center;">DESCRIPTION & AMOUNT OWED</th> </tr> </thead> <tbody> <tr> <td>Home</td> <td>\$ _____</td> <td>_____</td> </tr> <tr> <td>Car/Truck/Vehicle</td> <td>\$ _____</td> <td>_____</td> </tr> <tr> <td>Boat</td> <td>\$ _____</td> <td>_____</td> </tr> <tr> <td>Stocks/bonds</td> <td>\$ _____</td> <td>_____</td> </tr> <tr> <td>Other property</td> <td>\$ _____</td> <td>_____</td> </tr> </tbody> </table>			APPROXIMATE VALUE	DESCRIPTION & AMOUNT OWED	Home	\$ _____	_____	Car/Truck/Vehicle	\$ _____	_____	Boat	\$ _____	_____	Stocks/bonds	\$ _____	_____	Other property	\$ _____	_____
		APPROXIMATE VALUE	DESCRIPTION & AMOUNT OWED																		
Home	\$ _____	_____																			
Car/Truck/Vehicle	\$ _____	_____																			
Boat	\$ _____	_____																			
Stocks/bonds	\$ _____	_____																			
Other property	\$ _____	_____																			
CASH & BANK ACCOUNTS	Do you have any cash, or money in savings or checking accounts? ☐ Yes ☒ No IF YES, give the total approximate amount after monthly expenses \$ _____																				
OBLIGATIONS, EXPENSES, & DEBTS	How many people do you financially support? _____																				
	BILLS & DEBTS	MONTHLY EXPENSE	TOTAL DEBT																		
	Housing	\$ _____	\$ _____																		
	Groceries	\$ _____	\$ _____																		
	Medical expenses	\$ _____	\$ _____																		
	Utilities	\$ _____	\$ _____																		
	Credit cards	\$ _____	\$ _____																		
	Car/Truck/Vehicle	\$ _____	\$ _____																		
	Childcare	\$ _____	\$ _____																		
	Child support	\$ _____	\$ _____																		
	Insurance	\$ _____	\$ _____																		
	Loans	\$ _____	\$ _____																		
	Fines	\$ _____	\$ _____																		
Other	\$ _____	\$ _____																			

I certify under penalty of perjury that the foregoing is true and correct.


 SIGNATURE OF DEFENDANT
 (OR PERSON SEEKING REPRESENTATION)

Date

9/8/23

**United States District Court
Southern District of Iowa**

United States of America

Plaintiff,

vs.

Dale Ganaway Lucas , Jr. ,

Defendant.

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Case No. **3:23-cr-00064-SMR-SBJ-1**



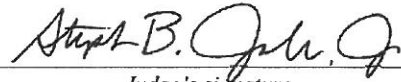
*[Check if Federal Public Defender is
appearing only for arraignment or
initial appearance]*

ORDER APPOINTING COUNSEL

The Court finds that the Defendant qualifies for appointment of counsel under the Criminal Justice Act, 18 USC §3006A, and the Criminal Justice Act Plan for the Southern District of Iowa. A CJA Form 23 Financial Affidavit shall be filed within five days of this Order.

It is ORDERED that Federal Defender's Office, or substitute counsel designated pursuant to the CJA Plan, is appointed to represent Defendant for all proceedings, including appeal. The Court may require Defendant to make full or partial repayment of attorney and witness fees, should it find that the Defendant has the ability to make such payment.

Date: September 8, 2023



Judge's signature

Stephen B. Jackson, Jr., U.S. Magistrate Judge

Printed name and title

From: cmecf_iasd@iasd.uscourts.gov
To: Courtmail@iasd.uscourts.gov
Subject: Activity in Case 3:23-cr-00064-SMR-SBJ USA v. Lucas, Jr. Order on Motion for Leave to Appeal In Forma Pauperis
Date: Monday, July 29, 2024 3:43:49 PM

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

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U.S. District Court

Southern District of Iowa

Notice of Electronic Filing

The following transaction was entered on 7/29/2024 at 3:42 PM CDT and filed on 7/29/2024

Case Name: USA v. Lucas, Jr.
Case Number: [3:23-cr-00064-SMR-SBJ](#)
Filer:
Document Number: 68

Docket Text:

TEXT ORDER granting [67] Motion for Leave to Appeal In Forma Pauperis and appoint counsel as to Dale Ganaway Lucas, Jr. Defendant Lucas has submitted a CJA23 - Financial Affidavit to the Court. [ECF No. [7]]. The Court finds the Defendant qualifies for Court appointed counsel. The Clerk shall appoint Attorney Jessica Donels as CJA appointed counsel to represent defendant in this case. Signed by Chief Judge Stephanie M. Rose on 7/29/2024. (mkh)

3:23-cr-00064-SMR-SBJ-1 Notice has been electronically mailed to:

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