

NO. _____

IN THE SUPREME COURT OF THE UNITED STATES

MICHAEL SHAUN DAVIS,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent,

On Petition for Writ of Certiorari to the
United States Court of Appeals for the Tenth Circuit

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

The Petitioner, Michael Shaun Davis, by and through his court-appointed counsel, Nicole Dawn Herron, Assistant Federal Public Defender for the Eastern District of Oklahoma, respectfully requests that this Honorable Court grant Mr. Davis leave to proceed *in forma pauperis* in petitioning for a Writ of Certiorari pursuant to Rule 39. In support of this request, Petitioner states that undersigned counsel was appointed pursuant to the Criminal Justice Act, 18 U.S.C. § 3006A, by the United States District Court for the Eastern District of Oklahoma and the United States

Court of Appeals for the Tenth Circuit continued undersigned counsel's appointment under that statute. Under Rule 39, an accompanying affidavit is not required in light of that appointment. A copy of the Tenth Circuit's appointment order is appended to this motion. Mr. Davis is unable to retain counsel and pay for costs attendant to the proceedings before this Honorable Court.

WHEREFORE, the Petitioner, Michael Shaun Davis, respectfully requests that he be granted leave to proceed *in forma pauperis*.

Respectfully submitted,

SCOTT GRAHAM
Federal Public Defender

/s/ Nicole Dawn Herron
Nicole Dawn Herron
Assistant Federal Public Defender
Counsel of Record
112 N. 7th Street
Muskogee, Oklahoma 74403
(918) 687-2430

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Tenth Circuit Court of Appeals

Notice of Docket Activity

The following transaction was entered on 12/16/2024 at 3:08:44 PM Mountain Standard Time and filed on 12/16/2024

Case Name: United States v. Davis

Case Number: [24-7098](#)

Document(s): [Document\(s\)](#)

Docket Text:

[11144523] Order filed by Judge Holmes granting appellant's motion to continue appointment of counsel. The Federal Public Defender for the Eastern District of Oklahoma to represent appellant Michael Shaun Davis. Served on 12/16/2024. Text only order. [24-7098]

Notice will be electronically mailed to:

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ba961fb21fbd5007dfca58f63eaa2961f75f94e150ef]]

Recipients:

- [Clay Alan Compton](#)
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- [Mr. Kevin Gross](#)
- [Ms. Nicole Dawn Herron](#)
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UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT

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Christopher M. Wolpert
Clerk of Court

Jane K. Castro
Chief Deputy Clerk

December 16, 2024

Ms. Nicole Dawn Herron
Mr. Jarred Lucas Jennings
Mr. Neil Darin Van Dalsem
Office of the Federal Public Defender
112 North 7th Street
Muskogee, OK 74401

RE: 24-7098, United States v. Davis
Dist/Ag docket: 6:23-CR-00178-RAW-1

Dear Counsel:

You have been appointed as counsel for appellant pursuant to the Criminal Justice Act, 18 U.S.C. 3006A. The order appointing you has been docketed in the above-referenced appeal. If an adverse decision is rendered you must advise your client of the right to seek review of this court's decision by petition for certiorari. If the client requests, and you believe a petition to be legally sound, you must file one with the clerk of the Supreme Court of the United States. *See* Criminal Justice Act Plan, 10th Cir. R., Addendum I.

Please contact this office if you have questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Christopher M. Wolpert', with a long horizontal flourish extending to the right.

Christopher M. Wolpert
Clerk of Court

cc: Clay Alan Compton
Linda A. Epperley
Kevin Gross
Jonathan E. Soverly

CMW/at