

No. _____

**In The
Supreme Court of the United States**

JAMES BENJAMIN ALLEN,

Petitioner,

v.

UNITED STATES,

Respondent.

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The Petitioner requests leave to file the attached petition for writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

On February 1, 2024, the Fourth Circuit Court of Appeals granted the Petitioner’s request for leave to proceed *in forma pauperis* and appointed him counsel under the Criminal Justice Act, 28 U.S.C. § 1915(e)(1). *United States of America v. James Benjamin Allen*, Case No. 24-4071 (Doc. 66) (4th Cir. 2024). Petitioner, who remains incarcerated and indigent, now seeks leave to proceed *in forma pauperis* in this Court.

Respectfully submitted on this 29th day of July 2026.

/s/Brian Michael Aus

Attorney for Petitioner

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**Counsel of Record for Petitioner*

FILED: February 1, 2024

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 24-4071
(1:22-cr-00150-LCB -1)

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

JAMES BENJAMIN ALLEN

Defendant - Appellant

O R D E R

The court appoints Brian Michael Aus to represent James Benjamin Allen. Counsel is referred to the [CJA Payment Memorandum](#) and the [CJA eVoucher Page](#) for information on appointment terms and procedures.

If preparation of transcript is necessary, CJA authorization for preparation of transcript is obtained by submitting an AUTH-24 request in the district eVoucher system. New appellate counsel must contact district eVoucher staff for appointment to the underlying district court case in order to submit the AUTH-24 request for district judge approval and the CJA 24 voucher for transcript payment.

Counsel must also submit a Transcript Order Form to the court reporter and district court and file the same in the court of appeals with the docketing statement. Upon filing of the Transcript Order Form, the Fourth Circuit will set deadlines for completion of the transcript.

CJA 20 and 21 vouchers are submitted for payment through the Fourth Circuit's CJA eVoucher system. Upon receiving email notification of this appointment from eVoucher, counsel may create CJA 20 and 21 vouchers for use in maintaining time and expense records and paying for expert services.

All case filings must be made using the court's Electronic Case Filing system (CM/ECF). Counsel not yet registered for electronic filing should proceed to the court's web site to register as an ECF filer. See [Required Steps for Registration as an ECF Filer](#).

For the Court--By Direction

/s/ Nwamaka Anowi, Clerk