

No. _____

IN THE
Supreme Court of the United States

EARL F. LOVE,
Petitioner,
v.

UNITED STATES,
Respondent.

On Petition for a Writ of Certiorari
To the United States Court of Appeals for the Eighth Circuit

MOTION FOR LEAVE TO PROCEED
IN FORMA PAUPERIS

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Attorney for Petitioner

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COMES NOW Petitioner, Earl F. Love, by his attorney, Rebecca Kurz, Assistant Federal Public Defender, Western District of Missouri, and moves this Court, pursuant to 28 U.S.C. §1915, 18 U.S.C. § 3006A(d)(6) and Sup. Ct. R. 39.1 and .2, for leave to file a petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit without prepayment of docket or other fees, and to proceed In Forma Pauperis. The petition accompanies this motion.

Mr. Love was indicted in the United States District Court, Western District of Missouri, on August 23, 2019, for assault resulting in serious bodily injury. United States Magistrate Judge David P. Rush appointed the Federal Public Defender Office to represent Mr. Love pursuant to the Criminal Justice Act on September 6, 2019. Following Mr. Love's trial, he appealed his sentence of 84 months of imprisonment.

On appeal the Federal Defender continued to represent Mr. Love without payment of fees or costs or security and without filing the affidavit required by 28 U.S.C. § 1915(a), all pursuant to 18 U.S.C. § 3006A(d)(6).

Because both the United States District Court for the Western District of Missouri and the United States Court of Appeals for the Eighth Circuit permitted Mr. Love to proceed In Forma Pauperis and appointed counsel for him, no affidavit in support of this Motion to Proceed In Forma Pauperis in this Court is required. 18 U.S.C. § 3006A(d)(6) and Sup. Ct. R. 39.1.

/s/ Rebecca Kurz

Rebecca Kurz

Assistant Federal Public Defender

Counsel of Record

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