

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

**UNITED STATES OF AMERICA**

**v.**

**LUCAS DENNEY**

**Defendant**

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**Case No. 22-cr-00070**

**DEFENDANT LUCAS DENNEY'S MOTION TO PROCEED  
IN FORMA PAUPERIS**

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*Attorney for Defendant*

NOW comes Defendant Lucas Denney, by and through his undersigned counsel of record William L. Shipley, and files this Motion to Proceed In Forma Pauperis.

Pursuant to Rule 24 of the Federal Rules of Appellant Procedure, Defendant Lucas Denney files this motion to proceed in forma pauperis on his appeal from the judgment entered by this Court on October 14, 2022.

Since filing the Notice of Appeal on October 31, 2022 undersigned counsel has made several attempts to ensure Defendant Denney was in possession of Form 4 of the Appendix of Forms to show Defendant Denney's inability to pay; however, Defendant Denney was then transferred from Northern Neck Regional Jail to FCI Florence. Since such transport, undersigned counsel has yet to make contact.

However, previously, a report regarding Defendant Denney's financial status has been presented to the Court in the presentencing report. Based on such information, this Court decided Defendant Denney did not have the financial means to pay a fine. Defendant Denney's financial status has not changed. *See* EFC. No. 76.

Should this Court require, undersigned will continue to make contact and supply Defendant Denney with a copy of Form 4 and will file the completed form with the Court.

This Court sentenced Defendant Denney to 52-months of imprisonment applying 4-point enhancement under U.S.S.G. § 2A2.2(b)(2)(B) and a 2-point enhancement under U.S.S.G. § 2A2.2(b)(1). Defendant Denney still takes the

same position as he did during sentencing—the 4-point and 2-point enhancements do not apply. Thus, Defendant Denney wishes to raise those issues on appeal.

Dated: December 11, 2022

Respectfully submitted,

/s/ William L. Shipley  
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