

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

v.

CORTLAND SHELLEY,

Defendant.

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MEMORANDUM

05-CR-0024-C

Counsel for defendant has moved the court to appoint him to represent defendant on his appeal to the Court of Appeals for the Seventh Circuit. Although I cannot appoint counsel to represent defendant on the appeal, I can make a determination that defendant is eligible for court-appointed counsel and make that determination known to the court of appeals.

From my examination of the information contained in defendant's pre-sentence report, I am persuaded that defendant lacks the financial resources to retain private counsel to represent him on appeal. I will advise the court of appeals of this determination.

Entered this 8th day of February, 2006.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge