

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA

Harold Weisberg,
Appellant-Plaintiff,

vs.

United States General Services
Administration and
United States National Archives
and Records Service,
Appellees-Defendants

Misc. _____

C.A. 2569-70

MOTION TO PROCEED IN FORMA PAUPERIS AND
WITH APPOINTMENT OF COUNSEL

In the court below in this action, defendants' motion to dismiss was granted by the Honorable Gerhard A. Gesell in Order dated June 24, 1971.

At that time the court volunteered that the court above would help plaintiff in an appeal, pursuant to which plaintiff promptly made this request of the clerk of the Court of Appeals. The clerk thereupon notified plaintiff to address his request to the clerk of the District Court, which plaintiff did and, when supplied with the proper forms, immediately filed his Notice of Appeal and Affidavit in Support of Application to Proceed Without Prepayment of Costs. This affidavit was subsequently denied by Judge Gesell.

Appellant-Plaintiff hereby moves the Honorable United States Court of Appeals for the District of Columbia to permit him to proceed in forma pauperis and with appointment of counsel because Appellant-Plaintiff is otherwise without means of appealing.

In support thereof, plaintiff attaches hereto copies of the said Order, of his Notice of Appeal, his Affidavit and supporting statement, and an affidavit setting forth that, without this assistance, he is without means of appealing what he regards as an erroneous decision under the law, and that because he is without means he would be denied basic legal rights.

Harold Weisberg, pro se
Route 8, Frederick, Maryland

I hereby certify that service of the foregoing Motion has been made upon defendants-appellees by mailing two copies to Robert M. Wardig, Jr., Assistant United States Attorney for the District of Columbia, this 12th day of August 1971.

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