

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI**

NOTICE OF APPEAL

United States of America

Plaintiff

vs.

Gary EYE

Defendant

05-00344-01-W-ODS

Case Number

Hon Ortrie D. Smith

District Court Judge

Notice is hereby given that **Defendant Gary Eye** appeals to the United States Court of Appeals for the Eighth Circuit From the Judgment & Commitment

entered on this action on **September 9, 2008**.
Date

John R. Osgood

Name of Lead Counsel

(816) 525 8200

Telephone Number

740 NW Blue Parkway Ste 305

Street Address

498 42 1318

SSN (for CJA compensation)

Lees Summit MO 64086

City

State

Zip

/s/

Signature of Attorney

12 September 2008

Date

TRANSCRIPT ORDER FORM

To be completed by attorney for appellant

Please prepare transcript of:

Pretrial proceedings

Testimony or

Portions thereof

Sentencing

Post-trial proceedings

Other: All Eye Motion Hearings before US Magistrate

No transcript ordered:

Reason:

Previously filed

Other _____

CERTIFICATE OF COMPLIANCE

Appellant hereby certifies that copies of this notice of appeal/transcript order form have been filed/served upon U.S. District Court, court reporter, and all counsel of record, and that satisfactory arrangements for payment of cost of transcripts ordered have been made with the court reporter. (FRAP 10(b)). Method of payment: Funds

CJA Form 24, completed and attached

Attorney's signature

/s/

Date

12 Sept 2008

INFORMATION SHEET

To be Completed by Attorney for Appellant

1. Defendant's Address: CCA Leavenworth 100 Highway Terrace, Leavenworth, Kansas 66048

2. Date of verdict: May 8, 2008 Jury Non jury

Offenses: Federal Civil Rights violations resulting in death and related offenses involving firearms and destruction of evidence

Trial Testimony Number of days 7 Bail Status: Detained

3. Sentence and Date Imposed: Life plus 240 months consecutive

Date Trial Transcripts Ordered by Counsel or District Court: _____

Sep 12, 2008

Stenographer in Charge (Name, Address and Telephone Number):

Cynthia Johnson, US Court, WDMo, 400E. 9th St., KCMO 64016 816512 5657

5. Trial Counsel was appointed retained

Does Defendant's financial status warrant appointment of counsel on appeal?

Yes

Affidavit of financial status filed: In the District Court

Is there any reason why trial counsel should not be appointed as counsel on appeal?

None Complexity of litigation justifies appointment of both trial counsel for

Eye even though death penalty was not ultimately imposed

6. Assistant United States Attorney name and telephone number: _____

Lead Counsel: David Ketchmark: 816 4263122

COURT REPORTER ACKNOWLEDGMENT

Date Order Received

Estimated Completion Date

Estimated No. of Pages

Court Reporter's Signature
:ntcapl.int

Date