

No. _____

IN THE
Supreme Court of the United States

HERNANDO JAVIER VERGARA,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

On Petition for a Writ of Certiorari to the
United States Court of Appeals
for the Eleventh Circuit

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

Petitioner Hernando Javier Vergara asks leave to file the attached Petition for a Writ of Certiorari without prepayment of costs and to proceed *in forma pauperis* in accordance with Supreme Court Rule 39. The filing of this motion is a continuation of the representation of Petitioner under a Criminal Justice Act (18 U.S.C. § 3006A) appointment of the Office of the Federal Public Defender for the Middle District of Florida, by the United States District Court.

WHEREFORE, Petitioner Hernando Javier Vergara prays for leave to proceed *in forma pauperis*.

Respectfully submitted,

Donna Lee Elm
Federal Defender



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