

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

GERALD ANDREW DARBY,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Petitioner has previously been granted leave to proceed *in forma pauperis* in the following courts:

U.S. District Court for the Eastern District of Virginia, Case No. 2:16CR36, by oral order entered March 15, 2016; and

U.S. Court of Appeals for the Fourth Circuit, Case No. 17-4212, by written order dated April 11, 2017 (ECF Doc. 2).

Because appellate counsel was appointed pursuant to the Criminal Justice Act of 1964, 18 U.S.C. § 3006A, no affidavit or declaration of the petitioner is attached. *See* S. Ct. R. 39.1.

Respectfully submitted,

GEREMY C. KAMENS
Federal Public Defender
for the Eastern District of Virginia

Andrew W. Grindrod (by FHP)
Andrew W. Grindrod
Assistant Federal Public Defender
Counsel of Record
Office of the Federal Public Defender
150 Boush Street, Suite 403
Norfolk, VA 23510
(757) 457-0800
Andew_Grindrod@fd.org

August 6, 2018