

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
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for the Eastern District of Virginia

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