

No. ____-____

IN THE
SUPREME COURT OF THE UNITED STATES

October Term, 2018

JOSE NIEVES-GALARZA,
Petitioner

v.

UNITED STATES OF AMERICA,
Respondents

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

In accordance with Rule 39 of the Rules of the Supreme Court of the United States, Petitioner, Jose Nieves-Galarza, requests leave to file the enclosed Petition for Writ of Certiorari to the United States Court of Appeals for the Third Circuit without prepayment of costs and to proceed *in forma pauperis* based upon an appointment under the Criminal Justice Act, 18 U.S.C. § 3006A(d)(6). Under the Criminal Justice Act, the Federal

Public Defender's Office was appointed to represent the Petitioner in the United States District Court for the Middle District of Pennsylvania and in the United States Court of Appeals for the Third Circuit.

Respectfully submitted,

HEIDI R. FREESE
Federal Public Defender

/s/ *Ronald A. Krauss*

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Date: August 6, 2018