

SUPREME COURT OF THE UNITED STATES

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|---------------------|---|-----------------------------|
| BYRON CHINCHILLA, |) | |
| |) | NO. _____ |
| Petitioner, |) | |
| |) | MOTION FOR LEAVE TO PROCEED |
| v. |) | IN FORMA PAUPERIS |
| |) | |
| GREG LEWIS, Warden, |) | |
| |) | |
| |) | |
| Respondent. |) | |
| _____ |) | |

The petitioner, Byron Chinchilla, asks leave to file the attached Petition for a Writ of Certiorari to the Ninth Circuit Court of Appeal, No. 16-55954 without prepayment of costs and to proceed in forma pauperis under Rules 12.2 and 39 of the U.S. Supreme Court Rules and 28 U.S.C. § 1915(a).

Petitioner has previously been granted leave to proceed in forma pauperis in the following courts: The United States District Court for the Central District of California, No.8:14-cv-01298-JVS-JPR; The United States Court of Appeals for the Ninth Circuit, No. 16-55954.

On August 31, 2016, petitioner's undersigned counsel was appointed to represent petitioner in those proceedings pursuant to The Criminal Justice Act, 18 U.S.C. 3006A.

Accordingly, no affidavit of the petitioner is attached. U.S. Sup. Ct. R. 39.

Dated:_____.

Respectfully submitted,

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