

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES
OCTOBER TERM, 2018

JAMES PINKNEY,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

**MOTION FOR LEAVE TO PROCEDE
IN FORMA PAUPERIS**

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Counsel for Petitioner, JAMES PINKNEY

Petitioner, James Pinkney, through his attorney, respectfully moves pursuant to Supreme Court Rule 39.1, for leave to proceed *in forma pauperis* before this Court. In support of his motion, Petitioner states that he has been represented by appointed counsel throughout the proceedings below (both in the district court and the court of appeals), under the Criminal Justice Act of 1964 (18 U.S.C. § 3006A), and remains without sufficient funds to afford counsel or payment of costs. Mr. Pinkney is in the custody of the Federal Bureau of Prisons.

WHEREFORE, Petitioner respectfully prays that this Court enter an order granting him leave to proceed *in forma pauperis*.

Dated: November 5, 2018 at Inverness, Illinois.

Respectfully submitted,

JAMES PINKNEY

By: /s/ Nicholas G. Grapsas
Nicholas G. Grapsas
His Counsel of Record

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DECLARATION

Nicholas G. Grapsas states that he is an attorney and a Panel Member of the Federal Defender Program, in which capacity he was appointed by the United States District Court for the Northern District of Illinois and the United States Court of Appeals for the Seventh Circuit, to represent Petitioner in the proceedings below.

Petitioner is in the custody of the Federal Bureau of Prisons and does not have the financial ability to afford an attorney on this petition to the United States Supreme Court for a writ of *certiorari*.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and accurate.

Executed on November 5, 2018, at Inverness, Illinois.

By: /s/Nicholas G. Grapsas
Nicholas G. Grapsas
Counsel of Record