

DOCKET NO. \_\_\_\_\_

IN THE SUPREME COURT OF THE UNITED STATES

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ELIANA SARMIENTO,

Petitioner,

-against-

UNITED STATES OF AMERICA,

Respondent.

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

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Pursuant to Title 18, United States Code, Section 3006A(d)(7) and Rule 39, Rules of the Supreme Court of the United States, Petitioner Eliana Sarmiento seeks leave to file the attached Petition for A Writ of Certiorari without prepayment of fees or costs and to proceed in forma pauperis.

Petitioner sought leave to proceed in forma pauperis in the district court and her request was granted. Counsel was appointed to represent Petitioner in the district court pursuant to the terms of the Criminal Justice Act, 18 U.S.C. § 3006A, and that representation continued in the court of appeals.

Dated: White Plains, New York  
November 21, 2018

Respectfully submitted,

PETITIONER ELIANA SARMIENTO

By: \_\_\_\_\_

James R. DeVita

Law Officer of James R. DeVita, PLLC

81 Main Street, Suite 504

White Plains, NY 10601

914-328-5000

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :  
:  
-against- :  
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Eliana Sarmiento

USDS SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 10/30/14

ORDER

13 CR 147 (KMW)  
Docket #

KIMBA WOOD, DISTRICT JUDGE.  
Judge's Name

The attorney retained in this case,

James DeVita is hereby ordered  
Attorney's Name

to assume representation of the defendant in the above captioned  
matter in his capacity as a CJA atty.

SO ORDERED.

Kimba M. Wood  
UNITED STATES DISTRICT JUDGE

Dated:

10-30-14