

No. \_\_\_\_\_

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IN THE  
**Supreme Court of the United States**

CARLOS DAGOBERTO RIVAS,

*Petitioner,*

v.

SHERMAN SPEARMAN, WARDEN,

*Respondent.*

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On Petition for a Writ of Certiorari to the  
United States Court of Appeals  
for the Ninth Circuit

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

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Petitioner, by his undersigned counsel, asks leave to file the attached Petition for Writ of Certiorari to the United States Court of Appeals for the Ninth Circuit without prepayment of costs and to proceed in forma pauperis. Petitioner is indigent and was represented by the Office of the Federal Public Defender for the Central District of California in the Ninth Circuit under the Criminal Justice Act, 18 U.S.C. § 3006A(b).

This motion is brought pursuant to Rule 39.1 of the Rules of the Supreme Court of the United States.

Respectfully submitted,

HILARY POTASHNER  
Federal Public Defender

DATED: November 20, 2018

By   
MARK R. DROZDOWSKI\*  
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CARLOS RIVAS  
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