

No. _____

In the
Supreme Court of the United States

SGT. PATRICK LEONARD MARTINEZ

Petitioner,

v.

THE STATE OF TEXAS

Respondent.

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The Petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Petitioner has previously been granted leave to proceed *in forma pauperis* in the 171st District Court of El Paso County, Texas. Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and a copy of the order appointing is appended.

EL PASO COUNTY PUBLIC DEFENDER
Attorneys for Petitioner

/s/ Nick Vitolo
Nicholas C. Vitolo
Deputy Public Defender
500 E. San Antonio, Room 501
El Paso, Texas 79901
TEL (915) 546-8185, Ext. 3436
FAX (915) 546-8186
nvitolo@epcounty.com
Counsel of Record