

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

IN THE

Supreme Court of the United States

UNITED STATES OF AMERICA,

*Respondent,*

v.

AUSTIN RAY,

*Petitioner,*

ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES  
COURT OF APPEALS FOR THE TENTH CIRCUIT

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

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

Please check the appropriate boxes:

☐ Petitioner has previously been granted leave to proceed in forma pauperis in the following court(s):

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☒ Petitioner has not previously been granted leave to proceed in forma pauperis in any other court.

☐ Petitioner's affidavit or declaration in support of this motion is attached hereto.

X Petitioner's affidavit or declaration is not attached because the court below appointed counsel in the current proceeding, and:

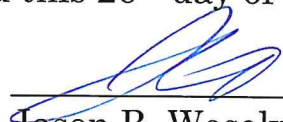
X The appointment was made under the following provision of law:

Appointment made by the United States Court of Appeals –  
10<sup>th</sup> Circuit per the Criminal Justice Act, 18 USC § 3006A

or

☐ a copy of the order of appointment is appended.

Respectfully submitted this 26<sup>th</sup> day of November, 2018.



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Jason B. Wesoky  
Darling Milligan PC  
1331 17<sup>th</sup> Street, Suite 800  
Denver, CO 80202  
(303) 623-9133  
*Attorney to Petitioner*

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**CERTIFICATION OF SERVICE OF MOTION FOR LEAVE TO  
PROCEED IN FORMA PAUPERIS**

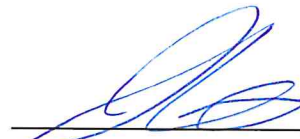
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Pursuant to Supreme Court Rule 29.3, Petitioner, Austin Ray, through his attorney, Jason B. Wesoky, who was appointed under the Criminal Justice Act, 18 U.S.C. § 3006A, respectfully certifies that on November 26, 2018 a true and correct copy of the Petitioner's Motion for Leave to Proceed in Forma Pauperis was placed for delivery with the United States Postal Service, postage prepaid, and addressed as follows:

Solicitor General of the United States  
Counsel for the United States of America  
Room 5614  
Department of Justice  
950 Pennsylvania Avenue, N.W.  
Washington, DC 20530-0001

Hetal Doshi  
Robert M. Russel  
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1225 17th Street, Suite 700  
Denver, CO 80202

Austin Ray  
FCI Englewood  
Federal Correctional Institution  
9595 W. Quincy Avenue  
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*Attorney to Petitioner*