

No:

IN THE
SUPREME COURT OF THE UNITED STATES

CARL WELLBORN,
Petitioner,

v.

MARY BURGHUIS,
Respondent.

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Petitioner Carl Wellborn, pursuant to Sup. Ct. R. 39.1, moves for leave to file the accompanying petition for writ of certiorari in the Supreme Court of the United States without payment of costs and to proceed *in forma pauperis*.

Mr. Wellborn was previously found financially unable to obtain counsel and the Federal Community Defender of the Eastern District of Michigan was appointed to represent Mr. Pittman pursuant to 18 U.S.C. § 3006A. Therefore, in reliance upon RULE 39.1 and § 3006A(d)(6), Mr. Pittman has not attached the affidavit which would otherwise be required by 28 U.S.C. § 1746.

FEDERAL COMMUNITY DEFENDER

By: s/Colleen P. Fitzharris
Colleen P. Fitzharris
613 Abbott St., 5th Floor
Detroit, Michigan 48226
Telephone No. (313) 967-5542