

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

Pursuant to 18 U.S.C. § 3006A(d)(7) and Rule 39 of this Court, Petitioner, Alfonso Hernandez 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 fees or costs and to proceed *in forma pauperis*.

I declare that petitioner was entitled below at the district court and the Ninth Circuit Court of Appeal to appointed counsel under 18 U.S.C. § 3006A as he is indigent. Mr. Hernandez owns no property and has no ability to earn an income. He has no current or future income stream and cannot afford to pay the filing costs associated with this Petition. I declare under penalty of perjury that the foregoing is true and correct. Executed on January 13, 2019, at San Diego, California.

Respectfully submitted,

Date: January 13, 2019

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