

NO. \_\_\_\_\_

**SUPREME COURT OF THE UNITED STATES**

**October Term 2018**

**JOHN LEROY MILNE,**

**Petitioner,**

**v.**

**UNITED STATES OF AMERICA,**

**Respondent.**

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

Petitioner John Leroy Milne, through his attorney, who was appointed pursuant to the Criminal Justice Act, 18 U.S.C. § 3006A(c), respectfully moves this Court to grant leave to continue *in forma pauperis*. In support of this motion, counsel states:

1. The Federal Public Defender Organization for the District of New Mexico is an entity organized pursuant to 18 U.S.C. §3006A(h)(2)(a).
2. Pursuant to the Criminal Justice Act, 18 U.S.C. §3006A(b) & (c), on June 26, 2017, the United States District Court for the District of New Mexico appointed the Federal Public Defender to represent Mr. Milne during his criminal prosecution before the court.

3. Pursuant to 18 U.S.C. § 3006A(c), on March 19, 2018, the United States Court of Appeals for the Tenth Circuit appointed the Federal Public Defender for the District of New Mexico to represent Mr. Milne on appeal.

4. Mr. Milne has indicated he wishes that his appointed Federal Public Defender present this petition to this Court.

5. Mr. Milne is currently incarcerated serving the conviction and sentence he challenges in this cause. As far as counsel is aware, Mr. Milne continues to be indigent.

Respectfully submitted,

FEDERAL PUBLIC DEFENDER

/s/Rachel A. Nathanson

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