

NO. _____

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM 2018

MARVIN LOPEZ-AGUILAR,

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Petitioner Marvin Lopez-Aguilar, 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 to proceed 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 October 19, 2009, the United States Magistrate Judge for the District of New Mexico appointed the Federal Public Defender to represent Mr. Lopez-Aguilar during criminal proceedings before the United States District Court of New Mexico.

3. Pursuant to 18 U.S.C. § 3006A(c), on July 21, 2017, the United States Court of Appeals for the Tenth Circuit appointed the Federal Public Defender for the District of New Mexico to represent Mr. Lopez-Aguilar on appeal.

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

5. Mr. Lopez-Aguilar is currently serving his term of incarceration with respect to the sentence he challenges in this cause. As far as counsel is aware, Mr. Lopez-Aguilar continues to be indigent.

For these reasons, Petitioner Marvin Lopez-Aguilar moves this Court to grant leave for him to proceed *in forma pauperis* before this Court.

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