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No.

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IN THE

SUPREME COURT OF THE UNITED STATES  
OCTOBER TERM, 2018

MICHAEL JOHNSON,  
Petitioner,

v.

UNITED STATES OF AMERICA,  
Respondent.

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

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MOTION FOR LEAVE TO PROCEED  
IN FORMA PAUPERIS

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LAINE CARDARLLA  
Federal Public Defender  
Western District of Missouri

DAN GOLDBERG  
Assistant Federal Public Defender  
818 Grand, Suite 300  
Kansas City, Missouri 64106  
(816) 471-8282  
Attorney for Petitioner

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COMES NOW Petitioner, Michael Johnson, by his attorney, Dan Goldberg, Assistant Federal Public Defender, Western District of Missouri, and moves this Court, pursuant to 28 U.S.C. §1915, 18 U.S.C. § 3006A(d)(6) and Sup. Ct. R. 39.1 and .2, for leave to file a petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit without prepayment of docket or other fees, and to proceed In Forma Pauperis. The petition accompanies this motion.

United States Magistrate Judge John T. Maughmer appointed the Federal Public Defender Office to represent Mr. Johnson pursuant to the Criminal Justice Act on July 25, 2016. Mr. Johnson was indicted in the United States District Court, Western District of Missouri, for possession with intent to distribute cocaine base on March 10, 2016. Following Mr. Johnson's guilty plea, he appealed his sentence of 204 months of imprisonment. On appeal the Federal Defender continued to represent Mr. Johnson without payment of fees or costs or security and

without filing the affidavit required by 28 U.S.C. § 1915(a), all pursuant to 18 U.S.C. § 3006A(d)(6).

Because both the United States District Court for the Western District of Missouri and the United States Court of Appeals for the Eighth Circuit permitted Mr. Johnson to proceed In Forma Pauperis and appointed counsel for him, no affidavit in support of this Motion to Proceed In Forma Pauperis in this Court is required. 18 U.S.C. § 3006A(d)(6) and Sup. Ct. R. 39.1.

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DAN GOLDBERG  
Assistant Federal Public Defender  
818 Grand, Suite 300  
Kansas City, Missouri 64106  
(816) 471-8282  
Attorney for Petitioner