

No. \_\_\_\_\_

---

IN THE  
**Supreme Court of the United States**

FREDERICK R. COTE,

*Petitioner,*

v.

DEBBIE ASUNCION, WARDEN,

*Respondent.*

---

On Petition for a Writ of Certiorari to the  
United States Court of Appeals  
for the Ninth Circuit

---

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

---

HILARY POTASHNER  
Federal Public Defender  
MARK R. DROZDOWSKI\*  
Deputy Federal Public Defender  
321 East 2nd Street  
Los Angeles, California 90012-4202  
Telephone: (213) 894-2854  
Facsimile: (213) 894-0081  
Mark\_Drozdowski@fd.org

Attorneys for Petitioner  
\**Counsel of Record*

---

Petitioner, by his undersigned counsel, 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 costs and to proceed in forma pauperis. Petitioner is indigent and was represented by the Office of the Federal Public Defender for the Central District of California in District Court and the Ninth Circuit under the Criminal Justice Act, 18 U.S.C. § 3006A(b).

This motion is brought pursuant to Rule 39.1 of the Rules of the Supreme Court of the United States.

Respectfully submitted,

HILARY POTASHNER  
Federal Public Defender

DATED: April 23, 2019

By   
MARK R. DROZDOWSKI\*  
Deputy Federal Public Defender

Attorneys for Petitioner  
FREDERICK R. COTE  
*\*Counsel of Record*