

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

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IN THE  
SUPREME COURT OF THE UNITED STATES

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MICHAEL DON NEELY,  
Petitioner,

v.

UNITED STATES OF AMERICA,  
Respondent.

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

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

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The Petitioner, Michael Don Neely, by and through his court-appointed counsel, Meredith B. Esser, Assistant Federal Public Defender for the District of Colorado, respectfully requests that this Honorable Court grant him leave to proceed in forma pauperis in petitioning for a writ of certiorari. In support of this request, Petitioner states that undersigned counsel was appointed pursuant to the Criminal Justice Act, 18 U.S.C. § 3006A, by the United States Court of Appeals for the Tenth Circuit, and that he is unable to

retain counsel and pay for costs attendant to the proceedings before this Honorable Court.

WHEREFORE, the Petitioner, Michael Don Neely, respectfully requests that he be granted leave to proceed in forma pauperis.

Respectfully submitted,

VIRGINIA L. GRADY  
Federal Public Defender

/s/ Meredith B. Esser

Meredith B. Esser  
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