

SUPREME COURT OF THE UNITED STATES

EARL DIXIE,)
Petitioner,) NO. _____
v.) MOTION FOR LEAVE TO PROCEED
K. HARRINGTON, Warden,) IN FORMA PAUPERIS
Respondent.)
_____)

The petitioner, Earl Dixie, asks leave to file the attached Petition for a Writ of Certiorari to the Ninth Circuit Court of Appeal, No. 11-57185, without prepayment of costs and to proceed in forma pauperis under Rules 12.2 and 39 of the U.S. Supreme Court Rules and 28 U.S.C. § 1915(a).

Petitioner has previously been granted leave to proceed in forma pauperis in the following courts: The United States District Court for the Central District of California, 10 CV 01026 R (PLA); The United States Court of Appeals for the Ninth Circuit, No. 11-57185.

On September 14, 2012, petitioner's undersigned counsel was appointed to represent petitioner in those proceedings pursuant to The Criminal Justice Act, 18 U.S.C. 3006A. Accordingly, no affidavit of the petitioner is attached. U.S. Sup. Ct. R. 39.

Dated:_____.

Respectfully submitted,

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