

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

ERWIN BURLEY, *Petitioner*,

v.

UNITED STATES OF AMERICA, *Respondent*.

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

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The Petitioner, Erwin Burley, asks leave to file the enclosed Petition for Writ of Certiorari without prepayment of costs and to proceed *in forma pauperis* in accordance with Supreme Court Rule 39. The filing of this petition is a continuation of the representation of the Petitioner under a Criminal Justice Act (18 U.S.C. § 3006A) appointment of the Office of the Federal Public Defender for the Middle District of Florida, by the United States District Court.

WHEREFORE, Petitioner Burley, prays for leave to proceed *in forma pauperis*.

Respectfully submitted,

Donna Lee Elm, Federal Defender

/s/ Meghan Ann Collins

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