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

IN THE SUPREME COURT OF THE UNITED STATES

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BARRY BAYS  
Petitioner  
vs.  
UNITED STATES OF AMERICA  
Respondent

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

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

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Lydia M.V. Brandt  
lydiabrandt566@gmail.com  
THE BRANDT LAW FIRM, P.C.  
Texas Bar No. 00795262  
P.O. Box 326  
Farmersville, TX 75442-0326  
(972) 972-752-5805

Member of the Supreme Court Bar

Attorney for Petitioner BAYS

The Petitioner, BARRY BAYS, asks leave to file in this Court without prepayment of costs and to proceed *in forma pauperis*. Petitioner had been granted leave by the federal district court to proceed *in forma pauperis* in the Fifth Circuit Court of Appeals. On May 12, 2015, undersigned counsel was appointed by the federal district court as CJA counsel (Doc. 514; ROA.2512), and represented Mr. Bays in the Fifth Circuit. On August 18, 2017, undersigned counsel was appointed again by the federal district court as CJA counsel in the second appeal to the Fifth Circuit (Doc. 603; ROA.2592), and represented Mr. Bays in the Fifth Circuit. Undersigned counsel is still acting in her capacity as CJA counsel in representing Mr. Bays in this proceeding in the U.S. Supreme Court, pursuant to 18 U.S.C. § 3006A, the Fifth Circuit Plan for Representation On Appeal Under the Criminal Justice Act, Section 6, Duties of Appointed Counsel; therefore no affidavit is needed in support of this motion.

WHEREFORE, Petitioner Bays respectfully requests that this court permit him to proceed in this Court, *in forma pauperis*.

Respectfully submitted,

/s Lydia M.V. Brandt

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