

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

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IN THE  
SUPREME COURT OF THE UNITED STATES

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CHARLES D. TUTTOILMONDO, JR. – PETITIONER  
VS.  
THE STATE OF TEXAS – RESPONDENT

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MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Petitioner's affidavit or declaration is not attached because the 49<sup>th</sup> District Court in Zapata County, Texas appointed counsel in the current proceeding and a copy of the order of appointment is appended.

Respectfully Submitted,

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By: /s/ Oscar O. Peña  
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