

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

**In the Supreme Court of the United States**

**October Term, 2018**

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BENNY RAY REGALADO, *PETITIONER*,

v.

UNITED STATES OF AMERICA

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PETITION FOR WRIT OF CERTIORARI  
TO THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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

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Petitioner Benny Ray Regalado, by and through his undersigned attorney, and pursuant to Supreme Court Rule 39.1 and Title 18, United States Code, § 3006A(d)(7), respectfully moves this Honorable Court for leave to proceed *in forma pauperis*, and for leave to file the attached Petition for Writ of Certiorari to the United States Court of Appeals for the Fifth Circuit without prepayment of fees. Petitioner was represented by appointed counsel under the Criminal Justice Act of 1964, as amended, in the district court and the court of appeals. Leave to proceed *in forma pauperis* was never sought in any other court.

Respectfully submitted.

s/ Judy Fulmer Madewell  
JUDY FULMER MADEWELL  
Chief of Appeals  
Office of the Federal Public Defender  
Western District of Texas  
727 E. César E. Chávez Blvd., B-207  
San Antonio, Texas 78206-1205  
(210) 472-6700  
(210) 472-4454 (Fax)

*Counsel of Record for Petitioner*

DATED: July 22, 2019.