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

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**IN THE  
SUPREME COURT OF THE UNITED STATES**

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CUITLAHUAC TAHUA RIVERA,  
Petitioner -Appellant,

v.

THE STATE OF CALIFORNIA,  
Respondent - Appellee.

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ON PETITION FOR WRIT OF CERTIORARI  
TO THE CALIFORNIA SUPREME COURT

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

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Stephen M. Lathrop  
904 Silver Spur Road #430  
Rolling Hills Estates, CA 90274  
Tel. 310.237.1000, ext. 3

Attorney for Petitioner  
CUITLAHUAC TAHUA RIVERA

The Petitioner, Cuitlahuac Tahua Rivera, by his undersigned counsel, asks leave to file the attached Petition for a Writ of Certiorari to the California Supreme Court without prepayment of costs and to proceed *in forma pauperis*. Stephen M. Lathrop was appointed counsel for Mr. Rivera by the California Supreme Court, pursuant to California Penal Code section 1240, and was permitted to proceed *in forma pauperis* in that court represented by Mr. Lathrop. A copy of the order of appointment, filed February 15, 2012, is attached hereto.

Respectfully submitted,

Dated: 8-10-2012

  
\_\_\_\_\_  
Stephen M. Lathrop  
Attorney for Petitioner  
CUITLAHUAC TAHUA RIVERA

SUPREME COURT  
FILED

FEB 15 2012

Frederick K. Ohlrich Clerk

Deputy

S153881

**IN THE SUPREME COURT OF CALIFORNIA**

**En Banc**

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THE PEOPLE, Respondent,

v.

CUITLAHUAC TAHUA RIVERA, Appellant.

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Upon request of appellant for appointment of counsel, Stephen M. Lathrop is hereby appointed to represent appellant Cuitlahuac Tahua Rivera for the direct appeal in the above automatic appeal now pending in this court.

**CANTIL-SAKAUYE**  
*Chief Justice*