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No.

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IN THE  
SUPREME COURT OF THE UNITED STATES

TERREALL McDANIEL,  
Petitioner,

v.

UNITED STATES OF AMERICA,  
Respondent.

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

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MOTION FOR LEAVE TO PROCEED  
IN FORMA PAUPERIS

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LAINE CARDARLLA  
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Western District of Missouri

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(816) 471-8282  
Attorney for Petitioner

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COMES NOW Petitioner, Terreall McDaniel, by his attorney, Dan Goldberg, Assistant Federal Public Defender, Western District of Missouri, and moves this Court, pursuant to 28 U.S.C. §1915, 18 U.S.C. § 3006A(d)(6) and Sup. Ct. R. 39.1 and .2, for leave to file a petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit without prepayment of docket or other fees, and to proceed In Forma Pauperis. The petition accompanies this motion.

United States Magistrate Judge Robert E. Larsen appointed the Federal Public Defender Office to represent Mr. McDaniel pursuant to the Criminal Justice Act on August 25, 2015. Mr. McDaniel was indicted in the United States District Court, Western District of Missouri, on July 28, 2015, for possession with intent to distribute cocaine and possession of a firearm. Following Mr. McDaniel's guilty verdict at bench trial, he appealed his sentence of 622 months of imprisonment. On appeal the Federal Defender continued to represent Mr. McDaniel without

payment of fees or costs or security and without filing the affidavit required by 28 U.S.C. § 1915(a), all pursuant to 18 U.S.C. § 3006A(d)(6).

Because both the United States District Court for the Western District of Missouri and the United States Court of Appeals for the Eighth Circuit permitted Mr. McDaniel to proceed In Forma Pauperis and appointed counsel for him, no affidavit in support of this Motion to Proceed In Forma Pauperis in this Court is required. 18 U.S.C. § 3006A(d)(6) and Sup. Ct. R. 39.1.

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