

No. \_\_\_\_\_ (CAPITAL CASE)

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In the  
Supreme Court of the United States

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MARK ROBERTSON,  
*Petitioner,*

vs.

LORIE DAVIS, Director, Texas Department of Criminal Justice,  
Correctional Institutions Division  
*Respondent.*

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ON PETITION FOR A 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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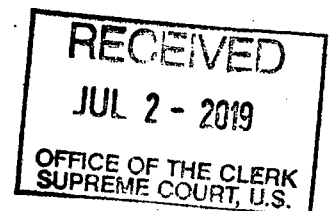
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**MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

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

Petitioner is currently incarcerated at the Texas Department of Criminal Justice's Polunsky Unit in Livingston, Texas. He has previously sought and been granted leave to proceed *in forma pauperis* on appeal by the following courts:

- the United States Court of Appeals for the Fifth Circuit; and
- the United States District Court for the Northern District of Texas.

Petitioner's affidavit or declaration of indigency is not attached because the court below appointed counsel in the current proceeding, pursuant to 18 U.S.C. § 3599.<sup>1</sup>

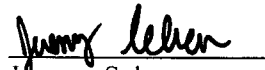
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<sup>1</sup> Mr. Robertson is not attaching the order, as the order appointing counsel of record in this case was filed under seal by the district court. That order, however, is included as Sealed Appendix C to the petition for writ of certiorari.

Respectfully submitted on this 28th day of June, 2019,

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