

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

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IN THE SUPREME COURT OF THE UNITED STATES

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FIDEL RIOS, JR.  
Petitioner,

v.

UNITED STATES OF AMERICA,  
Respondent.

On Petition for Writ of Certiorari to the United States  
Court of Appeals for the Eighth Circuit

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ON PETITION FOR 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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Stowers & Sarcone, PLC  
NICHOLAS SARCONE  
COUNSEL OF RECORD  
West Glen Town Center  
650 S. Prairie View Drive, Suite 130  
West Des Moines, IA 50266  
Telephone: (515) 224-7446  
Fax: (515) 225-6215

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, Fidel Rios, Jr., states the following:

1. Petitioner is indigent, and because of his poverty, is unable to pay the costs of this proceeding or give security therefor.

2. Petitioner has previously been granted leave to proceed in forma pauperis in the following court: United States Court of Appeals for the Eighth Circuit.

3. Petitioner's affidavit or declaration is not attached because the court of appeals determined that Petitioner was indigent and could not afford to hire his own attorney. Counsel was appointed for Petitioner pursuant to the Criminal Justice Act. A copy of that order is attached hereto.

WHEREFORE, Petitioner requests the Court grant his Motions for Leave to Proceed In Forma Pauperis.


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West Des Moines, IA 50266  
Telephone: (515) 224-7446  
Fax: (515) 225-6215

By:   
Nicholas Sarcone  
ATTORNEY FOR PETITIONER

COST CERTIFICATE

I hereby certify that the cost of printing the foregoing Motion for Leave to Proceed In Forma Pauperis was the sum of \$ 7.80.

STOWERS & SARCONE PLC  
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By:   
Nicholas Sarcone  
ATTORNEY FOR PETITIONER

**UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

No: 18-3697

United States of America

Appellee

v.

Fidel Rios, Jr., also known as Lito

Appellant

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Appeal from U.S. District Court for the Southern District of Iowa - Des Moines  
(4:17-cr-00125-SMR-2)

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**ORDER**

Attorney, Nicholas Sarcone is hereby appointed to represent appellant in this appeal under the Criminal Justice Act. Information regarding the CJA appointment and vouchering process in eVoucher will be emailed to counsel shortly.

December 18, 2018

Order Entered under Rule 27A(a):  
Clerk, U.S. Court of Appeals, Eighth Circuit.

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/s/ Michael E. Gans