

IN THE SUPREME COURT OF THE UNITED STATES

BENITEZ AUGUARIUS MOODY,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

PURSUANT TO Rule 39 of the Rules of the Supreme Court of the United States, Petitioner Benitez Auguarius Moody asks leave to file the accompanying Petition for Writ of Certiorari to the Circuit Court of Appeals for the Fourth Circuit without payment of costs and to proceed in forma pauperis and in support thereof states:

1. The Petition for Certiorari in the form prescribed by Rule 14 of the Rules of this Court, with Appendix attached, is submitted for filing along with this Motion.
2. Petitioner was determined to be indigent by the Circuit Court of Appeals for the Fourth Circuit and counsel was appointed April 6, 2018, under 18 U.S.C. § 3006A.

Respectfully Submitted,

BENITEZ AUGUARIUS MOODY

/s/ James R. Theuer

James R. Theuer

Counsel of Record

JAMES R. THEUER, PLLC

555 East Main Street, Suite 1212

Norfolk, Virginia 23510

(757) 446-8047

jim@theuerlaw.com