

NO. \_\_\_\_\_

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

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**TONY SPARKS,**  
*Petitioner,*

**v.**

**UNITED STATES OF AMERICA,**  
*Respondent.*

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**On Petition for A Writ of Certiorari  
To the Fifth Circuit Court of Appeals**

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

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ATTORNEY FOR PETITIONER

NOW COMES, Tony Sparks, Petitioner in the above-entitled matter, by and through his attorney of record, David K. Sergi, and moves this Honorable Court to allow him to proceed in this matter *in forma pauperis*, and would show the Court the following:

I.

Pursuant to Rule 39 of the Rules of the Supreme Court of the United States, Petitioner, Tony Sparks, asks leave to file the attached Petition for Writ of Certiorari without prepayment of costs and to proceed in forma pauperis.

II.

On April 3, 2018, undersigned counsel was appointed by the Fifth Circuit Court of Appeals to represent Petitioner in his appeal, pursuant to the Criminal Justice Act, 18 U.S.C. § 3006A.

WHEREFORE PREMISES CONSIDERED, Petition requests based on the foregoing, that the Court grant his motion to proceed in forma pauperis, and waive all costs regarding the same.

Respectfully submitted,

/s/ David K. Sergi  
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