

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

JOSE CANDELARIO PEREZ-CRUZ – PETITIONER

VS.

UNITED STATES OF AMERICA – RESPONDENT

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

Petitioner JOSE CANDELARIO PEREZ-CRUZ by and through appointed CJA counsel, Supreme Court Rule 39.1, and 18 U.S.C. §3006A(d)(6), asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*. In support thereof it is submitted:

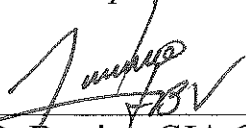
1. Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.
2. Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:
3. The appointment was made under the Criminal Justice Act.

4. Section 3006A(d)(6) of Title 18, United States Code, provides as follows:

(6) Proceedings before appellate courts.-

“If a person for whom counsel is appointed under this section appeals to an appellate court or petitions for a writ of certiorari, he may do so without prepayment of fees and costs or security therefore and without filing the affidavit required by section 1915(a) of title 28.”


WHEREFORE, based on the foregoing, Petitioner JOSE CANDELARIO PEREZ-CRUZ, by and through undersigned CJA counsel, moves this Honorable Court to grant this Motion to Proceed *In Forma Pauperis*.



Juan D. Berrio - CJA Counsel
Petitioner - Jose Candelario Perez-Cruz

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion was mailed to the Solicitor General of the United States, Room 5616, Department of Justice, 950 Pennsylvania Avenue, N.W., Washington, DC 20530, on this 17th day of January, 2020.



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