

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

OMAR ERNESTO HERNANDEZ,

Petitioner,

- v -

UNITED STATES OF AMERICA,

Respondent.

ON PETITION FOR WRIT OF CERTIORARI TO
THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

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

Pursuant to 18 U.S.C. §3006A(d)(6) and Rule 39 of this Court, Petitioner Omar Ernesto Hernandez moves for leave to file his Petition for Writ of Certiorari to the United States Court of Appeals for the Ninth Circuit without pre-payment of fees or costs, and to proceed *in forma pauperis*. Petitioner was represented by appointed counsel on appeal in the Ninth Circuit. *See* 18 U.S.C. §3006A.

Respectfully submitted,

/s/ Todd W. Burns

Dated: January 23, 2020

TODD W. BURNS

Counsel of Record

Burns & Cohan, Attorneys at Law

1350 Columbia Street, Suite 600

San Diego, California 92101

619-236-0244

Counsel for Petitioner