

No. _____

In the Supreme Court of the United States
October Term, 2019

Marcus Derby, Petitioner

v.

United States of America, Respondent

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

Motion for leave to proceed *in forma pauperis*

COMES NOW Petitioner, Marcus Derby, on motion for leave to file the enclosed petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit without prepayment of costs and to proceed *in forma pauperis* in accordance with Supreme Court Rule 39 and 18 USC § 3006A(d)(6).

The filing of the petition is a continuation of the representation of the defendant under a Criminal Justice Act appointment of counsel, Matthew A. Kezhaya, by the Eighth Circuit Court of Appeals. In accordance with Supreme Court Rule 39 and 18 USC § 3006A(d)(6), no affidavit is required.

WHEREFORE Petitioner prays this Court enter an order granting petitioner leave

to proceed *in forma pauperis*.

Respectfully submitted on February 24, 2020,
on behalf of Mr. Marcus Derby

By: /s/ Matthew A. Kezhaya

Matthew A. Kezhaya, ABA# 2014161



KEZHAYA LAW PLC

1202 NE McClain Rd.
Bentonville, AR 72712

phone: (479) 431-6112
facsimile: (479) 282-2892
email: matt@kezhaya.law