

IN THE
SUPREME COURT OF THE UNITED STATES
October Term, 2019

No. _____

BERNARD J. FLEMING, *Petitioner*,

v.

UNITED STATES OF AMERICA, *Respondent*.

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

The petitioner, Bernard J. Fleming, through his undersigned court-appointed attorney, respectfully moves this Court for leave to file the accompanying Petition for a Writ of Certiorari to the District of Columbia Court of Appeals without prepayment of costs, and to proceed *in forma pauperis* pursuant to Rule 39 of the Rules of this Court. The grounds in support of this motion are as follows:

1. Counsel was appointed to represent petitioner under the Criminal Justice Act of 1964, as

amended, in both the District of Columbia Superior Court and the District of Columbia Court of Appeals below.

2. Leave to proceed *in forma pauperis* has not been sought in any other court.
3. Petitioner believes that he is entitled to the redress he seeks in this case, *i.e.*, reversal of his convictions because his rights under the Fifth Amendment were unconstitutionally abridged.

WHEREFORE, petitioner requests leave to proceed *in forma pauperis* in this case.

Respectfully submitted,



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