

NO.

IN THE
SUPREME COURT OF THE UNITED STATES

ROBERT LUNDBERG,

Petitioner,

v.

SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS,

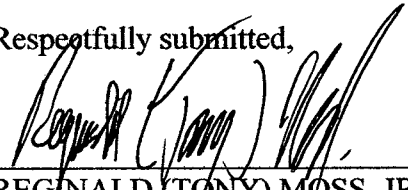
Respondent.

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

NOW COMES the Petitioner, ROBERT LUNDBERG, by and through undersigned counsel and pursuant to SUP.CT. R. 39.1, and respectfully moves for leave to file the attached Petition for Writ of Certiorari without prepayment of costs and to proceed *in forma pauperis*.

Petitioner, who has been incarcerated and without income since his 2003 arrest, was declared financially unable to obtain counsel by the courts of the State of Florida, and was represented by appointed counsel in his direct appellate and post-conviction proceedings therein. Subsequently, during the pendency of the instant appeal (which Mr. Lundberg previously litigated *pro se*), undersigned counsel was appointed to represent Petitioner, pursuant to 18 U.S.C. §3006A. Therefore, in reliance on RULE 39.1 and 18 U.S.C. §3006A(d)(6), Petitioner has not attached the affidavit which would otherwise be required by 28 U.S.C. §1746. A copy of the order appointing the undersigned is attached hereto.

Respectfully submitted,



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