

No. 20-1523  
IN THE SUPREME COURT OF THE UNITED STATES

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ROLANDO CRUZ, JR., MARC HERNANDEZ,  
and ROSCOE VILLEGA, Petitioners

v.

UNITED STATES OF AMERICA  
Respondent

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

Respondent, Maurice Atkinson, pursuant to Title 18, United States Code, Section 3006A(d)(6) and Rule 39 of the United States Supreme Court, asks leave to file the Brief in Support of Petitioners Rolando Cruz, Jr., Marc Hernandez, and Roscoe Villega's Petition For Writ Of Certiorari previously submitted on May 5, 2021 without prepayment of costs, and to proceed *in forma pauperis*. Pursuant to an appointment under the Criminal Justice Act of 1964, as amended, defense counsel was appointed to represent Respondent Maurice Atkinson in the United States District court for the Middle District of Pennsylvania and the United States Court of Appeals for the Third Circuit.

Respectfully submitted,  
THOMAS, THOMAS & HAFFER, LLP  
/s/ John F. Yaninek

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John F. Yaninek, Esquire  
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(717) 441-3952 - Phone  
(717) 237-7105 - Fax  
Attorney for Respondent, Maurice Atkinson

Date: May 25, 2021

**CERTIFICATE OF MEMBERSHIP IN BAR**

I, JOHN YANINEK, counsel for Respondent Maurice Atkinson, hereby certify  
that I am a member of the Bar of this Court.

/s/John F. Yaninek

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JOHN F. YANINEK

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**DECLARATION PURSUANT TO RULE 29.2  
OF THE RULES OF THE SUPREME COURT**

I declare under penalty of perjury under the laws of the United States of America that the Motion for Leave to Proceed in Forma Pauperis was mailed to the Clerk's Office of the United States Supreme Court in Washington D.C., postage paid and fees paid (USC-426), First Class Mail. I further certify that on the same date, I served the same documents upon the following persons by electronic mail:

Elizabeth D. Prelogar, Esq.,  
Acting Solicitor General  
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As a result, I certify that pursuant to this Court's Rule 29.5, all parties required to be served, have been served.

DATE: May 25, 2021

/s/John F. Yaninek

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John F. Yaninek  
Counsel for Respondent,  
Maurice Atkinson