

NO. \_\_\_\_\_

IN THE  
SUPREME COURT OF THE UNITED STATES  
OCTOBER TERM, 2020

MARTIN RACIOPPI,  
Petitioner,

v.

UNITED STATES OF AMERICA,  
Respondent.

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

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

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Petitioner, Martin Racioppi, pursuant to the Supreme Court of the United States Rule 39 and 18 U.S.C. § 3006A(d)(6), asks for leave to file the accompanying Petition for Writ of Certiorari to the United States Court of Appeals for the Third Circuit without prepayment of costs and to proceed *in forma pauperis*. Petitioner was represented by counsel appointed under the Criminal Justice Act, 18 U.S.C. § 3006A(b) and (c), in the United States District Court for the District of New Jersey and on appeal to the United States Court of Appeals for the Third Circuit, and consistent with the Supreme Court of

the United States Rule 39, no Affidavit is required to be filed in support of this motion.

Respectfully submitted,

s/ *Julie A. McGrain*

JULIE A. MCGRAIN  
Assistant Federal Public Defender  
*Counsel of Record*

RICHARD COUGHLIN  
Federal Public Defender

Federal Public Defender's Office  
District of New Jersey  
800-840 Cooper Street, Suite 350  
Camden, New Jersey 08102  
(856)757-5341

Counsel for Petitioner  
Martin Racioppi

Dated: August 28, 2020

NO: \_\_\_\_\_

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**CERTIFICATE OF SERVICE**

Julie A. McGrain, Assistant Federal Public Defender, a member of the Bar of the Third Circuit Court of Appeals and appointed under the Criminal Justice Act, 18 U.S.C. § 3006A *et seq.*, certifies that, pursuant to the April 15, 2020 Order of the Supreme Court of the United States, she served one (1) paper copy of the within Petition for Writ of Certiorari to the United States Court of Appeals for The Third Circuit and one (1) paper copy of the within Motion For Leave to Proceed *in Forma Pauperis* by United States mail, on the Clerk of the Supreme Court, Supreme Court Building, 1 First Street, N.E., Washington, D.C. 20543 on August 28, 2020. At the same date and time, copies of same were forwarded by first class mail to:

The Honorable Noel Francisco  
Solicitor General of the United States  
United States Department of Justice  
950 Pennsylvania Avenue, N.W.  
Washington, D.C. 20530-0001

Patricia S. Dodszeit, Clerk  
United States Court of Appeals  
For the Third Circuit  
21400 United States Courthouse  
601 Market Street  
Philadelphia, Pennsylvania 19106-1790

Martin Racioppi  
Register No. 60435-050  
FCI Ray Brook  
P.O. Box 900  
Ray Brook, NY 12977

Electronic versions of the filings were also submitted through the Court's  
electronic filing system.

*s/ Julie A. McGrain*

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JULIE A. MCGRAIN  
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