

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

IN THE SUPREME COURT OF THE UNITED STATES

JOE HERNANDEZ,  
Petitioner,

v.

UNITED STATES OF AMERICA,  
Respondent.

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

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

Pursuant to Rule 39 and 18 U.S.C. § 3006A(d)(7), Petitioner Joe Hernandez asks leave to file the accompanying Petition for Writ of Certiorari to the United States Court of Appeals for the Fifth 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 and on appeal to the United States Court of Appeals for the Fifth Circuit.

Date: October 2, 2020

Respectfully submitted,

MARJORIE A. MEYERS  
Federal Public Defender  
Southern District of Texas  
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