

IN THE
Supreme Court of the United States

DAVID J. GODINE III,

Petitioner,

v.

WARREN L. MONTGOMERY, Warden,

Respondent.

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

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

The Petitioner asks leave to file the attached petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit without prepayment of costs and to proceed *in forma pauperis*. The Petitioner was represented by counsel in the Ninth Circuit under the Criminal Justice Act, 18 U.S.C. § 3006A(b).

This motion is made under Court Rule 39.1.

Respectfully submitted,

CUAUHTEMOC ORTEGA
Interim Federal Public Defender

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