

No. \_\_\_\_\_

---

IN THE  
SUPREME COURT OF THE UNITED STATES

DAVID WILLIAM SMITH,  
*Petitioner,*

*vs.*

UNITED STATES OF AMERICA,  
*Respondent.*

---

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

(CA4 No. 19-4321)

---

**Motion to Proceed *in Forma Pauperis***

---

Howard W. Anderson III  
LAW OFFICE OF  
HOWARD W. ANDERSON III, LLC  
P.O. Box 661  
Pendleton, SC 29670  
(864) 643-5790 (P)  
(864)332-9798 (F)  
[howard@hwalawfirm.com](mailto:howard@hwalawfirm.com)  
*CJA Counsel for Petitioner*

COMES NOW David William Smith, by counsel, and respectfully moves this Court for leave to file the attached petition for *writ of certiorari* without the prepayment of costs and to proceed *in forma pauperis* in accordance with Rule 39 and in support whereof would show the Court as follows:

1. Petitioner seeks review of the judgment affirming his criminal sentence in a direct appeal resolved by the U.S. Court of Appeals for the Fourth Circuit.

2. Below, the United States District Court for the Western District of North Carolina appointed undersigned as counsel pursuant to the Criminal Justice Act of 1964, 18 U.S.C. § 3006A. Likewise the United States Court of Appeals for the Fourth Circuit appointed undersigned counsel as counsel pursuant to the Criminal Justice Act of 1964, 18 U.S.C. § 3006A.

Dated this 13<sup>th</sup> day of October, 2020.

Respectfully submitted,

---

Howard W. Anderson III  
*CJA Counsel for Petitioner*

LAW OFFICE OF  
HOWARD W. ANDERSON III, LLC  
P.O. Box 661  
Pendleton, SC 29670  
(864) 643-5790 (P)  
(864)332-9798 (F)  
[howard@hwalawfirm.com](mailto:howard@hwalawfirm.com)