

No.

IN THE SUPREME COURT OF THE UNITED STATES

**Pedro Hernandez**, Petitioner

v.

THE STATE OF CALIFORNIA, Respondent.

On Petition For a Writ of Certiorari to the  
United States Court of Appeal, Ninth Circuit

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

The petitioner, **Pedro Hernandez**, asks leave to file the accompanying petition for writ of certiorari, without prepayment of costs, and to proceed *in forma pauperis*. Petitioner was represented by court appointed counsel in the Ninth Circuit Court of Appeal and was permitted to proceed *in forma pauperis* in that court. Petitioner's a

Dated: October 21, 2020      Respectfully submitted,

/s/ Karren Kenney

Karren Kenney  
Kenney Legal Defense  
Attorneys for Petitioner

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THE UNITED STATES OF AMERICA, Respondent

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AFFIDAVIT IN SUPPORT OF MOTION FOR LEAVE TO PROCEED  
IN FORMA PAUPERIS

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The petitioner, by undersigned counsel, being first duly sworn, depose and state that because of my poverty I am unable to pay the costs of said proceedings or to give security therefor, and that I believe I am entitled to redress.

I further swear that the statements made, in and through my counsel, are true as to my ability to pay the cost of proceeding in this Court:

1. I am unemployed and currently in custody.
2. I own no property of any value.

I declare under penalty of perjury that the foregoing is true and correct. Executed this October 21, 2020.

/s/Karren Kenney  
Karren Kenney  
Counsel for Petitioner