

CASE NO. ____
IN THE SUPREME COURT OF THE UNITED STATES

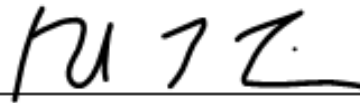
EDGAR RENE MIER-GARCES,
Petitioner,
v.
UNITED STATES OF AMERICA,
Respondent.

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

Petitioner Edgar Rene Mier-Garces moves under Supreme Court Rule 39 for leave to file the accompanying Petition for Writ of Certiorari to the United States Court of Appeals for the Tenth Circuit without prepayment of costs and to proceed *in forma pauperis*. Mr. Mier-Garces sought and was granted permission to proceed *in forma pauperis* in the federal district court and the Tenth Circuit, the latter of which appointed undersigned counsel pursuant to the Criminal Justice Act of 1964, 18 U.S.C. §3006A. The Tenth Circuit's appointment order was issued on March 20, 2018, effective *nunc pro tunc* to the date of Mr. Mier-Garces filed his notice of appeal in the Tenth Circuit (*to wit*, March 7, 2018).

DATED this 29th day of December, 2020.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'R T Fishman', written over a horizontal line.

Robert T. Fishman

Counsel of Record

Of Counsel,

Ridley, McGreevy & Winocur, PC

303 16th Street, Suite 200

Denver, CO 80202

fishman@ridleylaw.com

Counsel for Edgar Rene Mier-Garces