

No. _____

**In the
Supreme Court of the United States**

Edward Rodriguez,

Petitioner,

v.

Timothy Filson, et al.

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*

Rene Valladares
Federal Public Defender,
District of Nevada
*Jonathan M. Kirshbaum
Assistant Federal Public Defender
411 E. Bonneville Ave., Ste. 250
Las Vegas, Nevada 89101
(702) 388-6577
Jonathan_Kirshbaum@fd.org

Attorneys for Petitioner
*Counsel of Record

Petitioner Edward Rodriguez respectfully asks for leave to file the attached petition for writ of certiorari without prepayment of costs and to proceed *in forma pauperis*. Counsel was appointed by the United States District Court for the District of Nevada under 18 U.S.C. § 3599(a)(2), *see Rodriguez v. Filson, et al.*, No. 3:15-cv-00339-MMD-WGC, ECF No. 6 (Dist. Nev. Nov. 13, 2015), and the United States Court of Appeals for the Ninth Circuit allowed Rodriguez to proceed on appeal without the prepayment of fees. *See* SUPREME COURT RULE 39.1 (authorizing leave to proceed in forma pauperis when counsel was appointed in lower court due to indigency). Accordingly, no affidavit is attached

Dated December 22, 2020

Respectfully submitted,

Rene L. Valladares
Federal Public Defender

/s/Jonathan M. Kirshbaum
Jonathan M. Kirshbaum
Assistant Federal Public Defender