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No.

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IN THE  
SUPREME COURT OF THE UNITED STATES

FREDERICK DARRINGTON,  
Petitioner,

v.

UNITED STATES OF AMERICA,  
Respondent.

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ON PETITION FOR A WRIT OF CERTIORARI  
TO THE UNITED STATES COURT OF  
APPEALS FOR THE EIGHTH CIRCUIT

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MOTION FOR LEAVE TO PROCEED  
IN FORMA PAUPERIS

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LAINÉ CARDARLLA  
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Western District of Missouri

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Assistant Federal Public Defender  
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(816) 471-8282  
Attorney for Petitioner

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COMES NOW Petitioner, Frederick Darrington, by his attorney, Dan Goldberg, Assistant Federal Public Defender, Western District of Missouri, and moves this Court, pursuant to 28 U.S.C. §1915, 18 U.S.C. § 3006A(d)(6) and Sup. Ct. R. 39.1 and .2, for leave to file a petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit without prepayment of docket or other fees, and to proceed In Forma Pauperis. The petition accompanies this motion.

United States Magistrate Judge John Maughmer appointed the Federal Public Defender Office to represent Mr. Darrington pursuant to the Criminal Justice Act on June 6, 2007. Mr. Darrington was indicted in the United States District Court, Western District of Missouri, on May 31, 2007, for car jacking under 18 U.S.C. § 2119. Following Mr. Darrington's guilty plea, he appealed his sentence of 300 months of imprisonment. On appeal the Federal Defender continued

to represent Mr. Darrington without payment of fees or costs or security and without filing the affidavit required by 28 U.S.C. § 1915(a), all pursuant to 18 U.S.C. § 3006A(d)(6).

Because both the United States District Court for the Western District of Missouri and the United States Court of Appeals for the Eighth Circuit permitted Mr. McGee to proceed In Forma Pauperis and appointed counsel for him, no affidavit in support of this Motion to Proceed In Forma Pauperis in this Court is required. 18 U.S.C. § 3006A(d)(6) and Sup. Ct. R. 39.1.

*s/Dan Goldberg*  
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