

No. _____

IN THE
Supreme Court of the United States

NEALLY CUNNINGHAM,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

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

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The Petitioner, Neally Cunningham, asks leave to file the enclosed Petition for a Writ of Certiorari without prepayment of costs and to proceed *in forma pauperis* in accordance with Supreme Court Rule 39. The filing of this petition is a continuation of the representation of the Petitioner under a Criminal Justice Act (18 U.S.C. § 3006A) appointment of the Office of the Federal Public Defender for the Middle District of Florida, by the United States District Court.

WHEREFORE, Petitioner Neally Cunningham prays for leave to
proceed *in forma pauperis*.

Respectfully submitted,

James T. Skuthan
Acting Federal Public Defender

/s/ Adam Labonte

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