

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

DAVID PAUL MARTINEZ,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Pursuant to Sup. Ct. R. 39.1, petitioner David Paul Martinez requests leave to file the accompanying petition for writ of certiorari without prepayment of costs and to proceed in forma pauperis. Petitioner was previously represented by the Federal Public Defender for the Northern District of California, whom a Northern District of California magistrate judge appointed pursuant to 18 U.S.C. § 3006A(a)(1)(A). Therefore, under Rule 39.1 and 18 U.S.C. § 3006A(d)(7), Petitioner has not attached the affidavit required by 28 U.S.C. §§ 1746 and 1915(a).

Dated: January 29, 2021

STEVEN G. KALAR
Federal Public Defender

VARELL L. FULLER*
Assistant Federal Public Defender

** Counsel of Record*

LARA S. VINNARD
Assistant Federal Public Defender
55 South Market Street, Suite 820
San Jose, CA 95113
varell_fuller@fd.org
(408) 291-7753