

No. \_\_\_\_\_

IN THE SUPREME COURT OF THE UNITED STATES

Frank Gallardo a/k/a/ Frank Ray Thunder Hawk, Petitioner

v.

The United States of America, Respondent.

On Petition For a Writ of Certiorari to the  
United States Court of Appeals for the Eighth Circuit

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

The petitioner, Frank Gallardo a/k/a Frank Ray Thunder Hawk, through his counsel of record, asks leave to file the accompanying petition for writ of certiorari, without prepayment of costs, and to proceed *in forma pauperis*. Petitioner's affidavit is not attached because the court below appointed counsel in the current proceeding. The appointment was made under Rule 27A(a). A copy of the order of appointment is appended.

Dated this 9<sup>th</sup> day of November, 2020.

Respectfully submitted,

  
\_\_\_\_\_

Terry L. Pechota  
Attorney for Petitioner  
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Rapid City, SD 57702  
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**UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

No: 19-1282

United States of America

Appellee

v.

Frank Ray Gallardo

Appellant

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Appeal from U.S. District Court for the District of South Dakota - Rapid City  
(5:15-cr-50061-JLV-1)

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**ORDER**

Attorney, Terry L. Pechota is hereby appointed to represent appellant/appellee in this appeal under the Criminal Justice Act. Information regarding the CJA appointment and vouchering process in eVoucher will be emailed to counsel shortly.

February 12, 2019

Order Entered under Rule 27A(a):  
Clerk, U.S. Court of Appeals, Eighth Circuit.

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/s/ Michael E. Gans