

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

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

\_\_\_\_\_  
XAVIER LISTER,  
*PETITIONER,*

v.

UNITED STATES OF AMERICA,  
*RESPONDENT,*

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

\_\_\_\_\_  
Pursuant to Rule 39 and 18 U.S.C. § 3006A(d)(7), Petitioner asks leave to file the accompanying Petition for Writ of Certiorari to the United States Court of Appeals for the Fifth Circuit without prepayment of costs and to proceed *in forma pauperis*. Petitioner was represented by counsel appointed under the Criminal Justice Act, 18 U.S.C. § 3006A (b) and (c), both in the United States District Court for the Northern District of Texas and in the United States Court of Appeals for the Fifth Circuit.

Respectfully submitted on February 15, 2020.

  
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*Of Counsel*

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