

No. 20-7868
IN THE SUPREME COURT OF THE UNITED STATES

DOUGLAS KELLY, Petitioner
v.

UNITED STATES OF AMERICA
Respondent

MOTION FOR LEAVE TO
PROCEED IN FORMA PAUPERIS

Respondent, Maurice Atkinson, pursuant to Title 18, United States Code, Section 3006A(d)(6) and Rule 39 of the United States Supreme Court, asks leave to file the Brief in Support of Petitioner Douglas Kelly's Petition For Writ Of Certiorari previously submitted on May 5, 2021 without prepayment of costs, and to proceed *in forma pauperis*. Pursuant to an appointment under the Criminal Justice Act of 1964, as amended, defense counsel was appointed to represent Respondent, Maurice Atkinson, in the United States District court for the Middle District of Pennsylvania and the United States Court of Appeals for the Third Circuit.

Respectfully submitted,

THOMAS, THOMAS & HAFFER, LLP

/s/ John F. Yaninek

John F. Yaninek, Esquire

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Attorney for Respondent, Maurice Atkinson

Date: May 25, 2021

CERTIFICATE OF MEMBERSHIP IN BAR

I, JOHN YANINEK, counsel for Respondent Maurice Atkinson, hereby certify
that I am a member of the Bar of this Court.

/s/John F. Yaninek

JOHN F. YANINEK

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**DECLARATION PURSUANT TO RULE 29.2
OF THE RULES OF THE SUPREME COURT**

I declare under penalty of perjury under the laws of the United States of America that the Motion for Leave to Proceed in Forma Pauperis was mailed to the Clerk's Office of the United States Supreme Court in Washington D.C., postage paid and fees paid (USC-426), First Class Mail. I further certify that on the same date, I served the same documents upon the following persons by electronic mail:

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As a result, I certify that pursuant to this Court's Rule 29.5, all parties required to be served, have been served.

DATE: May 25, 2021

/s/John F. Yaninek

John F. Yaninek
Counsel for Respondent,
Maurice Atkinson