

NO. \_\_\_\_\_

IN THE  
SUPREME COURT OF THE UNITED STATES

October Term, 2021

DERRICK BAER,

*Petitioner,*

v.

UNITED STATES OF AMERICA,

*Respondent.*

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

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

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Petitioner, Derrick Baer, pursuant to the Supreme Court of the United States Rule 39 and 18 U.S.C. § 3006A(d)(6), asks for leave to file the accompanying Petition for Writ of Certiorari to the United States Court of Appeal for the Third 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), in the United States District Court of New Jersey and on appeal to the United States Court of Appeals for the Third Circuit, and consistent with the Supreme Court of the United States Rule 39, no Affidavit is required to filed in support of this motion.

Respectfully submitted,

/s/ Timothy M. Donohue  
Timothy M. Donohue, Esq.

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*Attorneys for Petitioner Derrick Baer*

Dated: May 14, 2021

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**CERTIFICATE OF SERVICE**

Timothy M. Donohue, Esq., a member of the Bar of the Third Circuit Court of Appeals and appointed under the Criminal Justice Act, U.S.C. § 3006A *et seq.*, certifies that, pursuant to the Supreme Court of the United States Rule 29.5, he served the original and ten (10) copies of the within Petition for Writ of Certiorari to the United States Court of Appeals for the Third Circuit and the original and ten (10) copies of the within Motion for Leave to Proceed *in Forma Pauperis* by United States mail, on the Clerk of the Supreme Court, Supreme Court Building, 1 First Street, N.E., Washington, D.C. 20543 on the \_\_\_\_\_ day of May, 2021. At the same time, copies of same were forwarded by first class mail to:

The Honorable Noel Francisco  
Solicitor General of the United States  
United States Department of Justice  
950 Pennsylvania Avenue, N.W.  
Washington, D.C. 20530-0001

Patricia S. Dodszuweit, Clerk  
United States Court of Appeals  
For the Third Circuit  
21400 United States Courthouse  
601 Market Street  
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