

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

MOTION FOR LEAVE TO FILE *IN FORMA PAUPERIS*

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 be 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
Philadelphia, P.A. 19106-1790

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