

No. _____

DUANE YATES,

Petitioner-Appellant,

vs.

PATTY WACHTENDORF,

Respondents-Appellee.

MOTION FOR LEAVE TO APPEAL *IN FORMA PAUPERIS*

Petitioner, Duane Yates, asks for leave to file the attached petition *in forma pauperis*. Mr. Yates has previously been permitted to appeal *in forma pauperis* before the 8th Circuit, and United States District Court in the Northern District of Iowa. Mr. Cole was appointed under the Criminal Justice Act of 1964, 18 U.S.C. § 3006A. See Appx. C and F. Thus, Mr. Yates seeks leave to present this Petition for *Certiorari* under the United States Supreme Court Rule 39.1.



ROCKNE O. COLE
209 E. Washington Street
Paul-Helen Building, Ste 304
Iowa City, Iowa 52240
(319) 519-2540 Office
(319) 359-4009 Fax
ATTORNEY FOR PETITIONER