

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

IN THE  
SUPREME COURT OF THE UNITED STATES  
OF AMERICA

GARY SIMMONDS,  
Petitioner,

v.

TERRITORY OF THE VIRGIN ISLANDS,

Respondent.

On Petition for Writ of Certiorari to the  
Supreme Court of the Virgin Islands.

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

The petitioner, Gary Simmonds, requests leave of the Court to file the accompanying petition for writ of certiorari, without prepayment of costs, and to proceed *in forma pauperis*. Petitioner was represented by court appointed counsel, the Office of the Territorial Public Defender, in the Superior Court of the Virgin Islands, District Court of the Virgin Islands, and the United States Court of Appeals for the Third Judicial Circuit. He was permitted to proceed *in forma pauperis* in that

Court.

This motion is filed pursuant to Rule 39 of this Court and title 4, section 513 of the Virgin Islands Code. Petitioner has previously been granted leave to proceed in forma pauperis in the following courts:

1. The District Court of the Virgin Islands.
2. The United States Court of Appeals for the Third Circuit Judicial Circuit.

For the foregoing reasons, Petitioner requests this Court to grant leave for him to proceed in forma pauperis without payment of costs and fees.

Date: Friday, July 16, 2021.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Kelechukwu C. Onyejekwe".

Kelechukwu Chidi Onyejekwe  
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