

NO.  
SUPREME COURT OF THE UNITED STATES

JAMES KERNS	)
Petitioner	)
- VS. -	)
UNITED STATES OF AMERICA	)
Respondent.	)

**On Petition For Writ Of Certiorari To**  
**The United States Court Of Appeals For The Sixth Circuit**  
**Motion For Leave To Proceed**  
**In Forma Pauperis**  
**Pursuant to the Criminal Justice Act and Supreme Court Rule 39**

Pursuant to Title 18, United States Code §3006A(d)(6) and Rule 39 of this Court, Petitioner asks leave to file the attached Petition for Writ of Certiorari to the United States Court of Appeals for the Sixth Circuit without prepayment of fees or costs and to proceed In Forma Pauperis.

Petitioner was represented by counsel appointed pursuant to Title 18, United States Code §3006, the Criminal Justice Act, on appeal to the US Court of Appeals for the Sixth Circuit and by the Federal Defender at trial before the US District Court for the Western District of Michigan

Respectfully submitted,

/s *Michael Losavio*

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Counsel of Record for Petitioner

**CERTIFICATE**

I hereby certify that a copy of this Motion was deposited in the U.S. Mail, first-class postage prepaid, or by Federal Express private service properly addressed to Hon. Brian Fletcher, Office of the Solicitor General of the United States, Room 5614, Department of Justice, 950 Pennsylvania Ave., N. W., Washington, DC 20530-0001 this 18th day of August, 2021

/s Michael Losavo  
Michael M. Losavio