

No.

IN THE UNITED STATES SUPREME COURT

FREDRICK MACKIE,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Pursuant to Rule 39 of the Rules of the Supreme Court of the United States, the undersigned counsel requests on behalf of Petitioner Fredrick Mackie leave to file a petition for writ of certiorari and to proceed *in forma pauperis*.

The undersigned attorney certifies that he was appointed to represent petitioner in this case in the Ninth Circuit Court of Appeals under the Criminal Justice Act of 1964, 18 U. S C. § 3006A.

Respectfully submitted,

/s/ *Walter K. Pyle*

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