

No. \_\_\_\_\_

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IN THE  
**Supreme Court of the United States**

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MARLON DARREL EVANS,

*Petitioner,*

v.

AMY MILLER, WARDEN,

*Respondent.*

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On Petition for a Writ of Certiorari to the  
United States Court of Appeals  
for the Ninth Circuit

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

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CUAUHTEMOC ORTEGA  
Federal Public Defender  
MICHAEL PARENTE\*  
Michael\_Parente@fd.org  
SAIVANDANA PETERSON  
Vandana\_Peterson@fd.org  
Deputy Federal Public Defenders  
321 East 2nd Street  
Los Angeles, California 90012  
Telephone: (213) 894-2854  
Facsimile: (213) 894-0081

Attorneys for Petitioner  
*\*Counsel of Record*

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Petitioner, Marlon Darrel Evans, by his undersigned counsel, seeks leave to file the attached Petition for Writ of Certiorari to the United States Court of Appeals for the Ninth Circuit without prepayment of costs and to proceed in forma pauperis. Petitioner was represented by counsel in the Ninth Circuit under the Criminal Justice Act, 18 U.S.C. § 3006A(b).

This motion is brought pursuant to Rule 39.1 of the Rules of the Supreme Court of the United States.

Respectfully submitted,

CUAUHTEMOC ORTEGA  
Federal Public Defender

DATED: September 1, 2021

By:   
MICHAEL PARENTE\*  
SAIVANDANA PETERSON  
Deputy Federal Public Defenders  
Attorneys for Petitioner  
*\*Counsel of Record*