

**No. 21-5631**

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**In the Supreme Court of the United States**

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ELTON VALLARE, *Petitioner*,

v.

UNITED STATES OF AMERICA, *Respondent*.

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**Petitioner's Motion to Voluntarily Dismiss Petition for Certiorari**

Petitioner Elton Vallare moves, pursuant to Rule 46, that his petition for certiorari be dismissed. No fees are due because, as stated in the motion to proceed *in forma pauperis* accompanying his petition, petitioner proceeded *in forma pauperis* with appointed counsel in the district court and court of appeals. *See* 18 U.S.C. § 3006A(d)(7); Sup. Ct. R. 39.1. I have tried to contact counsel for respondent for its position on this request but have not received a response.

Respectfully submitted.

MAUREEN SCOTT FRANCO  
Federal Public Defender

s/ Bradford W. Bogan  
BRADFORD W. BOGAN  
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## **Certificate of Service**

I, a member of the Bar of this Court, certify that on November 12, 2021, I served a copy of this Motion on Counsel for the United States by enclosing it in an envelope, with first-class postage prepaid, addressed to her post office address:

The Honorable Elizabeth B. Prelogar  
Solicitor General of the United States  
Room 5616, U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, D.C. 20530-0001  
(202) 514-2217

and depositing it in a United States mailbox at San Antonio, Texas.

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