

No. _____

In the
Supreme Court of the United States

MARK WAYNE GRAY, Petitioner

v.

DEAN BORDERS, Warden
Respondent

On Petition for Writ of Certiorari to the United States Court of
Appeals for the Ninth Circuit
18-16604

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

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Appointed Attorney for Petitioner

Petitioner, 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 has this appointed counsel under the CJA for this petition. In state court petitioner was represented by appointed appellate counsel.

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

Respectfully submitted,

Date: September 26, 2021

By: /s/ Charles R. Khoury Jr.

Attorney for Petitioner