

No. _____

In the Supreme Court of the United States

RICKY ALLEN FACKRELL, *PETITIONER*,

v.

UNITED STATES OF AMERICA, *RESPONDENT*

PETITION FOR WRIT OF CERTIORARI
TO THE
UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

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

Petitioner Ricky Allen Fackrell, by and through his undersigned attorney, and pursuant to Supreme Court Rule 39.1, and Title 18, United States Code, Section 3006A(d)(7), respectfully moves this Honorable Court for leave to proceed *in forma pauperis*, and for leave to file the attached Petition for Writ of Certiorari to the United States Court of Appeals for the Fifth Circuit without prepayment of fees. Petitioner was represented by appointed counsel under the Criminal Justice Act of 1964, as amended, in the district court and the court of appeals. Petitioner never sought leave to proceed *in forma pauperis* in any other court.

Respectfully submitted.

s/ Judy Fulmer Madewell
JUDY FULMER MADEWELL
First Assistant Federal Public Defender
Western District of Texas
727 E. César E. Chávez Blvd., B-207
San Antonio, Texas 78206-1205
(210) 472-6700
(210) 472-4454 (Fax)

Counsel of Record for Petitioner

DATED: October 14, 2021