

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

JASON A. TOBEY,
Petitioner,
v.
UNITED STATES OF AMERICA,
Respondent.

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

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

HEATHER E. WILLIAMS
Federal Defender
Eastern District of California
CAROLYN M. WIGGIN
Assistant Federal Defender
Counsel of Record
801 I Street, 3rd Floor
Sacramento, California 95814
carolyn_wiggin@fd.org
Telephone: (916) 498-5700

Attorneys for Petitioner
JASON A. TOBEY

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Petitioner Jason A. Tobey, by and through his appointed counsel, asks for 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*. The United States District Court for the Eastern District of California granted Mr. Tobey *in forma pauperis* status. The Office of the Federal Defender for the Eastern District of California was appointed by the United States District Court for the Eastern District of California to represent Mr. Tobey under the Criminal Justice Act, 18 U.S.C. § 3006A.

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

Dated: October 26, 2021

Respectfully submitted,

HEATHER E. WILLIAMS
Federal Defender

s/ Carolyn M. Wigg
CAROLYN M. WIGGIN
Assistant Federal Defender

Attorneys for Petitioner
JASON A. TOBEY