

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

CARL ALVIN CUSHING,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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

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

The Petitioner, Carl Alvin Cushing, by and through his court-appointed counsel, William D. Lunn, a member of the Criminal Justice Act Panel of the Tenth Circuit Court of Appeals, respectfully requests this Honorable

Court for leave to proceed *in forma pauperis* in filing the attached Petition for Writ of Certiorari. In support of this request, Petitioner states that undersigned counsel was appointed pursuant to the Criminal Justice Act of 1964, 18 U.S.C. Sect. 3006A, by the United States Court of Appeals for the Tenth Circuit to represent the Petitioner, who is unable to retain counsel and pay for the costs attendant to the proceedings before this Honorable Court.

WHEREFORE, the Petitioner, Carl Alvin Cushing, respectfully requests that he be granted leave to proceed *in forma pauperis*.

Respectfully submitted,

/s/ William D. Lunn_____
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