

No. _____

In the
SUPREME COURT OF THE UNITED STATES

ERIC MARTINEZ, 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, by his undersigned counsel, asks leave to file the attached petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit without prepayment of costs and to proceed *in forma pauperis*. The petitioner was represented by counsel appointed in the trial court and on appeal under the Criminal Justice Act, 18 U.S.C. § 3006A(b).

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

Respectfully submitted,

DATED: November 12, 2021

s/ Aric G. Elsenheimer

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