

No. 21 - _____

IN THE SUPREME COURT OF THE UNITED STATES

CHARLES DAVID GORDON,

Petitioner,

v.

JOE LIZARRAGA,
Warden, Mule Creek State Prison,

Respondent.

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

Petitioner, Charles David Gordon, requests leave to file the accompanying Petition for Writ of Certiorari to the United States Court of Appeals for the Ninth Circuit without prepayment of fees or costs, and to proceed *in forma pauperis*. Supreme Court Rules 12.2 and 39; 28 U.S.C. §1915(a). Petitioner's affidavit or declaration is not attached because the court below appointed counsel in the current proceedings based on petitioner's indigence. Supreme Court Rule 39.1. The appointment was made under the Criminal Justice Act, Title 18 U.S.C. § 3006A.

DATED: December 30, 2021

Respectfully submitted,



JAMES S. THOMSON
Counsel of Record