

NO. \_\_\_\_\_

IN THE  
SUPREME COURT OF THE UNITED STATES  
OF AMERICA

MICHAEL DEVELL SMITH  
Petitioner-Defendant

v.

UNITED STATES OF AMERICA  
Respondent

On Petition for Writ of Certiorari from the  
United States Court of Appeals for the Fifth Circuit.  
Fifth Circuit Case No. 21-60422

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

Pursuant to Rule 39 and 18 U.S.C. § 3006A(d)(6), Petitioner Michael D. Smith requests leave to file the accompanying Petition for Writ of Certiorari from the United States Court of Appeals for the Fifth Circuit without prepayment of costs and to proceed in forma pauperis. Petitioner was represented by counsel appointed under the Criminal Justice Act, 18 U.S.C. § 3006A (b) and (c), in the United States District Court for the Southern District of Mississippi and on appeal to the United States Court of Appeals for the Fifth Circuit.

Date: February 2, 2022.

Respectfully submitted,



---

**Jacinta A. Hall**

Assistant Federal Public Defender  
Office of the Federal Public Defender  
Southern District of Mississippi  
200 South Lamar Street, Suite 200-N  
Jackson, Mississippi 39201  
Telephone: 601/948-4284  
Facsimile: 601/948-5510

Attorney for Defendant-Petitioner