

No. _____

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IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 2021

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DAVID JOHN TELLES, *Petitioner*

vs.

UNITED STATES OF AMERICA, *Respondent*

--ooOoo--

ON PETITION FOR WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

--ooOoo--

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

--ooOoo--

ELIZABETH GARFINKLE
California Bar # 228536
Supreme Court Bar Member, since October 12, 2010
Law Office of Elizabeth Garfinkle
P.O. Box 13172
Oakland, California 94661
lizgarfinkle@gmail.com * (510) 501-0542

Counsel of Record for Petitioner,
David John Telles

**TO THE HONORABLE CHIEF JUSTICE OF THE SUPREME COURT OF
THE UNITED STATES AND TO THE HONORABLE ASSOCIATE JUSTICES
OF THE COURT:**

Pursuant to Rule 39 of the Rules of the Supreme Court of the United States, Petitioner David John Telles respectfully requests leave to file a petition for writ of certiorari *in forma pauperis*. Petitioner sought leave to file *in forma pauperis* in the federal courts and it was granted. Petitioner was represented by appointed counsel at all times, and he has been represented by the undersigned appointed counsel in the Ninth Circuit Court of Appeals, under the Criminal Justice Act. 18 U.S.C. § 3006A(d)(7).

Copies of the notice and order of appointment are attached to this motion.

Dated: February 7, 2022

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Elizabeth Garfinkle", is written over a horizontal line.

ELIZABETH GARFINKLE
Law Office of Elizabeth Garfinkle
P.O. Box 13172
Oakland, California 94661
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(510) 501-0542

Counsel of Record for Petitioner,
David John Telles

APPENDIX A
Notice and Order Appointing Counsel

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA

Appellee,

vs

DAVID JOHN TELLES, JR.

Appellant.

U.S.C.A. No.: 19-10218


U.S.D.C. No.: CR-16-00424-JSW

**ORDER RE: CJA APPOINTMENT
OF AND AUTHORITY TO PAY
COURT APPOINTED COUNSEL
ON APPEAL**

The individual named above as appellant, having testified under oath or having otherwise satisfied this court that he or she (1) is financially unable to employ counsel and (2) does not wish to waive counsel, and, because the interests of justice so require, the Court finds that the appellant is indigent, therefore;

IT IS ORDERED that the attorney whose name and contact information are listed below is appointed to represent the above appellant.

Elizabeth Garfinkle
P.O. Box 13172
Oakland, CA 94611
(510) 501-0542
lizgarfinkle@gmail.com


Appointing Judge: Hon. Judge White

July 8, 2019

Date of Order

July 3, 2019

Nunc Pro Tunc Date