

No. _____

IN THE
Supreme Court of the United States

FRANK C. GONZALEZ,
Petitioner,

v.

PEOPLE OF THE STATE OF CALIFORNIA,
Respondent.

**ON PETITION FOR WRIT OF CERTIORARI
TO THE CALIFORNIA SUPREME COURT**

CAPITAL CASE

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

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COUNSEL OF RECORD for Petitioner
Frank C. Gonzalez

Petitioner, Frank C. Gonzalez, through appointed counsel, asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Petitioner's affidavit or declaration in support of this motion is not attached hereto because petitioner was previously appointed counsel in the California Supreme Court under its Indigent Defense Program and Policies regarding Cases Arising from Judgments of Death, pursuant to which I was appointed as counsel for Petitioner. *See* United States Supreme Court Rules, rule 39.1. A copy of the California Supreme Court's order appointing counsel for Petitioner is included in the Appendix as Appendix B, p. 34a.

CONCLUSION

In light of the above, the Court should grant petitioner leave to proceed *in forma pauperis*.

Dated: March 2, 2022

Respectfully submitted,



GLENN NIEMY
COUNSEL OF RECORD for Petitioner
FRANK C. GONZALEZ