

No. \_\_\_\_\_

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IN THE

**SUPREME COURT OF THE UNITED STATES**

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RODOLFO RODRIGUEZ, J.R.

*Petitioner,*

v.

UNITED STATES OF AMERICA

*Respondent.*

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On Petition for Writ of Certiorari

To The United States Court of Appeals for the Tenth Circuit

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

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COMES NOW THE PETITIONER, RODOLFO RODRIGUEZ, J.R., by and through undersigned counsel, and herein moves for leave to proceed *in forma pauperis*. In support thereof, Petitioner states:

1. On this date, Petitioner is filing a Petition for Writ of Certiorari to the Tenth Circuit Court of Appeals.
2. Petitioner, who is without funds, seeks leave to proceed in this matter *in forma pauperis* pursuant to Supreme Court Rule 39.

3. The undersigned counsel was appointed by the United States District Court for the District of New Mexico, and by the Tenth Circuit Court of Appeals, pursuant to the Criminal Justice Act 18 U.S.C. § 3006A.
4. The filing of this petition is a continuation of the representation of the defendant under a Criminal Justice Act appointment, and as a result no affidavit is required pursuant to Supreme Court Rule 39.

WHEREFORE, Petitioner moves to proceed *in forma pauperis*.

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