

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

IN THE

SUPREME COURT OF THE UNITED STATES

ONIEL MCKENZIE,  
*Petitioner,*

v.

UNITED STATES OF AMERICA,  
*Respondent*

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

The Petitioner, Oniel McKenzie, requests leaves to file the annexed Petition for Writ of Certiorari to the United States Court of Appeals for the Second Circuit without payment of costs and to proceed *in forma pauperis* pursuant to United States Supreme Court Rule 39. The United States Court of Appeals for the Second Circuit appointed counsel, Brian E. Spears, under the Criminal Justice Act of 1964, 18 U.S.C. Section 3006A, to represent the Petitioner. Petitioner has remained incarcerated since the commencement of his case, and, on information and belief, is indigent.

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