

No:

IN THE  
SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 2021

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JAMES MICHAEL FORNEY,

*Petitioner,*

v.

SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS,

*Respondent.*

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

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Petitioner, James Michael Forney, pursuant to SUP CT. R. 39.1, respectfully moves for leave to file the accompanying petition for writ of certiorari in the Supreme Court of the United States without payment of costs and to proceed *in forma pauperis*.

Petitioner was previously found financially unable to obtain counsel and the Federal Public Defender of the Southern District of Florida was appointed to represent Petitioner pursuant to 18 U.S.C. § 3006A. Therefore, in reliance upon RULE 39.1 and § 3006A(d)(6), Petitioner has not attached the affidavit which would otherwise be required by 28 U.S.C. § 1746.

MICHAEL CARUSO  
FEDERAL PUBLIC DEFENDER

Fort Lauderdale, Florida  
June 27, 2022

By: *s/Janice L. Bergmann*  
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