

NO. _____

IN THE

Supreme Court of the United States

_____ TERM, 20____

CODY RAY LEVEKE,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

Motion For Leave to Proceed In Forma Pauperis

Pursuant to Rule 39 of the Rules of this Court, Petitioner, Cody Ray Leveke, asks leave to file the attached Petition for Writ of Certiorari, without prepayment of costs, and to proceed in forma pauperis.

The petitioner was represented by counsel appointed pursuant to Title 18, United States Code § 3006(a) (the Criminal Justice Act) both in the district court and on interlocutory appeal to the Eighth Circuit Court of Appeals. Petitioner is currently incarcerated in the Federal Bureau of Prisons and remains indigent.

RESPECTFULLY SUBMITTED,

/s/ Heather Quick

Heather Quick, Asst. Federal Defender
Appellate Chief
Federal Public Defender's Office

222 Third Avenue SE, Suite 290
Cedar Rapids, IA 52401
Phone: (319) 363-9540
Fax: (319) 363-9542
ATTORNEY FOR PETITIONER