

IN THE SUPREME COURT OF THE UNITED STATES

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CHARLES SMITH

Petitioner,

- vs -

UNITED STATES OF AMERICA,

Respondent.

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MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

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Pursuant to Title 18, United States Code, § 3006A and Rule 39 of this Court, Petitioner, Charles Smith, asks leave to file the attached Petition for Writ of Certiorari to the United States Court of Appeals for the Ninth Circuit without pre-payment of fees or costs and to proceed *in forma pauperis*.

Petitioner is represented by counsel appointed pursuant to the Criminal Justice Act of 1964, Title 18, United States Code, § 3006A. Petitioner was found to be indigent in the district court and has had appointed counsel in the district court and before the Ninth Circuit.

Respectfully submitted,

Dated: October 12, 2022

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