

IN THE SUPREME COURT OF THE UNITED STATES

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HERBERT ISAAC PERKINS,  
*Petitioner,*

v.

UNITED STATES OF AMERICA,  
*Respondent.*

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ON PETITION FOR WRIT OF CERTIORARI  
AFTER DIRECT APPEAL FROM  
THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO,  
THE HONORABLE KEA W. RIGGS,  
UNITED STATES DISTRICT JUDGE,  
CASE NOS. 16-CV-0174-KWR-JHR, 07-CR-1010-KWR,  
TO THE UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT,  
No. 22-2043

**PETITIONER HERBERT ISAAC PERKINS'**  
**MOTION FOR LEAVE TO PROCEED**  
*IN FORMA PAUPERIS*

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Petitioner Herbert Isaac Perkins, by and through counsel of record, Scott M. Davidson, asks leave to file a petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Petitioner Perkins has previously been granted leave to proceed *in forma pauperis* in this case in the following courts: United States District Court for the District of New Mexico, and the United States Court of Appeals for the Tenth Circuit.

Undersigned counsel has been appointed pursuant to the Criminal Justice Act to represent Petitioner Perkins in appellate proceedings in the Tenth Circuit, in the District of New Mexico, and in this Court during the certiorari process.

Petitioner Perkins is incarcerated at a facility of the United States Bureau of Prisons. On information and belief, Petitioner Perkins' previous *in forma pauperis* status has not changed materially since undersigned counsel's appointment by the Tenth Circuit.

Respectfully submitted,

/s/ Scott M. Davidson (electronically filed)

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