

No. _____

IN THE

Supreme Court of the United States

ESAU FERDINAND,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Pursuant to Sup. Ct. R. 39.1, petitioner Esau Ferdinand requests leave to file the accompanying petition for writ of certiorari without prepayment of costs and to proceed *in forma pauperis*. Petitioner was previously represented by undersigned CJA counsel, whom the U.S. Court of Appeals for the Ninth Circuit appointed pursuant to 18 U.S.C. § 3006A(a)(1)(A). Therefore, under Rule 39.1 and 18 U.S.C. § 3006A(d)(7), petitioner has not attached the affidavit required by 28 U.S.C. §§ 1746 and 1915(a).

Dated: January 11, 2023

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