

No. \_\_\_\_\_

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**IN THE  
SUPREME COURT OF THE UNITED STATES**

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PAUL MICHAEL MALAGERIO,  
*Petitioner,*  
v.  
UNITED STATES of AMERICA,  
*Respondent.*

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

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

Petitioner was represented by counsel appointed pursuant to Title 18, United States Code, § 3006A (the Criminal Justice Act) both in the district court and on appeal before the Fifth Circuit Court of Appeals. Petitioner was incarcerated in the Federal Bureau of Prisons until October 31, 2022. He has been moved to ICE while custody awaiting removal and remains indigent.

Respectfully Submitted,

/s/ Mary Margaret Penrose  
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