

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

IN THE SUPREME COURT OF THE UNITED STATES

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ERIC BANKS,

Petitioner,

- v -

UNITED STATES OF AMERICA,

Respondent.

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ON PETITION FOR WRIT OF CERTIORARI TO  
THE UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

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

Pursuant to 18 U.S.C. §3006A(d)(6) and Rule 39 of this Court, Petitioner Eric Banks moves for leave to file his 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 was represented by appointed counsel on appeal in the Ninth Circuit. *See* 18 U.S.C. §3006A.

Respectfully submitted,

Dated: January 17, 2023

/s/ Todd W. Burns

TODD W. BURNS

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