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In the Supreme Court of the United States

JERRY DON SOUTH,

Petitioner,

VERSUS

UNITED STATES OF AMERICA,

Respondent.

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

MOTION TO PROCEED *IN FORMA PAUPERIS*

CHAD PHILLIP VAN CLEAVE
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Criminal Justice Act Appointment

Motion to Proceed *In Forma Pauperis*

TO THIS HONORABLE COURT:

Jerry Don South, Petitioner, through counsel, hereby requests leave to proceed *in forma pauperis*, and would show as follows.

Mr. South filed an affidavit in the U.S. District Court indicating his financial condition to the Court, and requested that counsel be appointed to represent him. Mr. South's financial condition had not improved by his interview with U.S. Probation in connection with his Presentence Investigation Report. Since then, Mr. South has remained in custody, and his financial condition has not improved.

Mr. South was appointed trial counsel by the U.S. District Court, and the undersigned was appointed on appeal under 18 U. S. C. § 3006A.

FOR THESE REASONS, pursuant to Supreme Court Rule 39, Jerry Don South respectfully requests leave to proceed *in forma pauperis* in this case.

Respectfully submitted,

/s/ Chad Van Cleave

Chad Van Cleave
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